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Agricultural Economics Bibliography No. 66

MEASURES OF MAJOR IMPORTANCE ENACTED BY THE 74TH CONGRESS

January 3 to August 26, 1935 and January 3 to June 20, 1936

Compiled by Vajen H. Fischer
Under the Direction of Mary G. Lacy, Librarian
Bureau of Agricultural Economics

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Washington, D. C.
July 1936

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FOREWORD

This list is similar to Agricultural Economics Bibliography No. 54, entitled "Measures of Major Importance Enacted by the 73d Congress." It is designed as a companion to that list and attempts to show amendments to laws listed therein, and to bring to date information concerning various New Deal agencies.

A file of Proclamations of the President through No. 2160, March 5, 1936 and of Executive Orders through No. 7318, March 18, 1936 was examined, and some of the more important ones selected for inclusion. Also a few later Proclamations and Executive Orders have been included. It must be kept in mind, however, that this information is incomplete and subject to amendment and change at any time by the issuance of further Executive Orders.

With a few omissions, all of the more important laws of the 74th Congress, and amendments thereto, have been included. To these have been added some of the less important laws and some resolutions because of their interest to the Bureau of Agricultural Economics.

Hearings have been noted in so far as this information could be readily obtained. Call numbers are those of the United States Department of Agriculture Library.

Citations, unless otherwise indicated, are for the 74th Congress. Short titles or made up titles have been used.

Owing to the nature of the material it was difficult to arrange it systematically throughout. For the most part the arrangement is by subject under which the items are chronological except in some cases where they are arranged according to the importance of the legislation. In most cases resolutions and documents have been put at the end. When the chronological order was not followed the important word or phrase has been underscored. In some few instances as under Lands, the arrangement is alphabetical.

Mary G. Lacy, Librarian,
Bureau of Agricultural Economics,
U. S. Department of Agriculture.

July 1936.

SOURCES CONSULTED*

American Observer. Important measures passed by congress... 5(42):1, 8. June 29, 1936.
Covers 2d session of 74th Congress.

Congressional Record. [Data relative to acts of Congress being declared unconstitutional by the Supreme Court of the United States, checked by the Legislative Reference Service, Library of Congress.] Inserted in the Congressional Record by Representative John B. Snyder, of Pa. 80(9): 9250-9254. June 8, 1936.

*Congressional Record. Legislative accomplishments of the Roosevelt administration, 1933-36. Inserted in the Congressional Record by Senator Joseph T. Robinson. 80(10):10431-10451. June 20, 1936.
This consists of a review of legislation. "The digests, in part, have been taken from the New York Times."

Gates, Paul. Legislation affecting land use. Summary of major legislation adopted at the first session of the 74th Congress. (In Land Policy Circular issued by the Resettlement Administration. Sept. 1935, pp.17-22)

Lewis, E. A., comp. Laws relating to agriculture. 396pp. Washington, U. S. Govt. print. off. 1935. 30.5 Un3A.
(For sale by the Superintendent of Documents, Washington, D. C. Price: 25 cents)

New York Times. Review of important legislation by the 74th Congress in second session. [By Hal H. Smith] June 22, 1936.

*New York Times. Summary of the principal acts of the first session of the Seventy-fourth Congress. [By Hal H. Smith.] August 27, 1935.
Also printed in Congressional Record 79: 14488-14495. Aug. 24, 1935.

U. S. Department of agriculture. Agricultural adjustment administration. Annotated compilation of Agricultural Adjustment Act, as amended and acts relating thereto at the close of the first session of the 74th Congress, August 26, 1935. Compiled under the direction of the Solicitor. 187pp. Washington, D. C., U. S. Govt. print. off., 1935.

*U. S. Department of agriculture. Office of budget and finance. Legislation enacted by 74th Congress, first session. 76pp., mimeogr. Washington, D.C., October 8, 1936. (Budget and finance circular no. 14)

*U. S. Department of agriculture. Office of budget and finance. Legislation enacted by 74th Congress, 2d session. 77 pp., mimeogr. Washington, D. C., July 10, 1936. (Budget and finance circular No. 26)

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*These items were very helpful in making the annotations, and in a few instances were used as authority for the notes.

*U. S. Library of Congress. Legislative reference service. Digest of public general bills, with index, Seventy-fourth Congress, second session. Washington, D. C., U. S. Govt. print. off., 1936. No. 3, to February 11, 1936; No. 8, to March 17, 1936; No. 11, Final issue. 1936.
(For sale by the Superintendent of Documents, Washington, D. C. Price: 15, 20 and 30 cents)

U.S. Resettlement administration. Office of the general counsel. Legislative research section. Legislation of the 74th Congress of interest to the Resettlement Administration. Mimeographed. [Washington, D. C.]
Covers only 1st session of 74th Congress. Contains 4 parts separately paged as follows: I. Public Laws: II. Bills Vetoed by the President; III. Bills Introduced and Acted Upon; IV. Bills Introduced On Which No Action Was Taken.

United States law week; a national survey of current law. v.1, no. (1) Sept. 5, 1933-date. Washington, D. C., Bureau of national affairs, inc. (274.008 Un32)
This contains Executive Orders and Proclamations of the President, reprints of important laws, Supreme Court decisions on laws, some articles about laws giving description and discussion, etc. For example an interesting article on the Snyder-Guffey Coal Bill may be found in the issue for Aug. 27, 1935, under the title "Further Experiment in Trade Regulation".

MEASURES OF MAJOR IMPORTANCE ENACTED BY THE 74TH CONGRESS

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Adjusted Service Certificates

1. Adjusted Compensation Payment Act, 1936. Public No. 425 (H.R. 9870) Vetoed by the President, and passed over the veto in the House on Jan. 24, 1936 and in the Senate on Jan. 27, 1936. (Veto message of the President printed as H. Doc. 398)

Declares the adjusted-service certificates issued under authority of the World War Adjusted Compensation Act, to be immediately payable, the value of each certificate to be an amount equal to the face value. If the veteran has borrowed against his certificate, that amount plus any unpaid interest prior to October 1, 1931, shall be deducted from the face value of the certificate before payment is made. Any interest unpaid accrued subsequent to September 30, 1931 shall be canceled. If the certificate is held by a bank or trust company, payment shall be made to it upon proper presentation. If the veteran dies without making valid application under this Act, no payment under this Act will be made.

If a veteran has not made application at time Act takes effect he shall be entitled at his option to receive either the certificate under section 501 of the World War Adjusted Compensation Act, as amended, or payment under this Act.

The amount certified pursuant to section 1 of this Act shall be made to the veteran or his estate on or after June 15, 1936, by the issuance of bonds of the United States, registered in the name of the veteran only, in denominations of $50, having a total face value up to the highest multiple of $50 in the amount due the veteran, and the difference between the amount due and the face amount of bonds shall be paid in cash. Bonds shall be dated June 15, 1936, and shall mature June 15, 1945, but shall be redeemable at the post offices and such places as the Secretary of the Treasury may designate. They shall not be transferable, assignable, subject to attachment, levy or seizure under legal or equitable process. Interest on them shall accrue at rate of 3 percent per annum to date of maturity or payment of their principal. No interest shall be paid on any bond redeemed prior to June 15, 1937.

Authorizes and directs the Secretary of the Treasury to redeem from the U. S. Government life insurance fund all adjusted-service certificates held by that fund.

Authorizes appropriation of such sums as may be necessary to carry out provisions of Act.

$6,678,375 is appropriated by the Supplemental Appropriation Act, fiscal year 1936 (Public No. 440) for expenditure under the Secretary of the Treasury for carrying out the provisions of the Act, and $5,500,000 to the Veterans' Administration, 1936 and 1937 for administrative expenses in connection with the Act.

$1,730,000 is appropriated for adjusted compensation payments under the Act, except section 5, and the World War Adjusted Compensation Act, 1924, as amended, by the Independent Offices Appropriation Act, fiscal year 1937 (Public No. 479). For hearings on this appropriation See Supplemental House hearings on the Independent Offices Appropriation Act.

Agricultural Adjustment Act*

2. A.A.A. Rice Amendment Act. Public No. 20(H.R. 5221) Approved March 18, 1935. House Hearing held on bill (281.359 Un3R)

Amends Sections 8, 9, 15, 16, and 17 of the Agricultural Adjustment Act.

Levies a processing tax on rice, effective April 1, 1935. Defines the marketing year to be the period from August 1 to July 31.

Provides that, for the period from April 1, 1935 to July 31, 1936, the processing tax with respect to rice shall be at the rate of 1 cent per pound of rough rice, subject to any modification of such rate made pursuant to any other provision of the Agricultural Adjustment Act. The weight to which the rate of tax shall be applied shall be the weight of rough rice when delivered to a processor, except that where the producer processes his own rice, the weight to which the rate of tax shall be applied shall be the weight of rough rice when delivered to the place of processing. Provides for rental and benefit payments to rice producers and for the pledge of such payments for production credit.

Authorizes and directs the Secretary of Agriculture to issue tax-payment warrants to growers who hold such rough rice from the 1933 and 1934 crops and to millers holding stocks of rough rice which have been purchased at the prices specified in the existing marketing agreements and licenses. These warrants may be used in the payment of the processing tax.

Eliminates the floor-stocks tax on clean rice in the hands of millers, jobbers, retailers, or others in the trade who have stocks on hand, in order to exempt from the tax all old-crop rice for which the marketing-agreement price had been paid.

This Act was declared unconstitutional by the decisions of the Supreme Court.

3. Processing Tax on Cotton.

Sec. 2, Title I, Department of Agriculture and Farm Credit Administration Appropriation Act, fiscal year 1936 (Public No. 62) approved May 17, 1935, provides that : "The processing tax authorized by Public Act numbered 10, Seventy-third Congress (48 Stat. 31), when levied upon cotton, shall be payable ninety days after the filing of the processor's report: Provided, That,

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* The arrangement under this subject is chronological with the exception of resolutions and documents which are placed last regardless of date.

under regulations to be prescribed by the Secretary of the Treasury, the time for payment of such tax upon cotton may be extended, but in no case to exceed six months from the date of the filing of the report."

4. Amendments To The Agricultural Adjustment Act. Public No. 320 (H.R. 8492) Approved August 24, 1935.

House hearings held on H.R. 5585 (281.12 Un32Am)
Senate hearings held on S. 1807 (281.12 Un3Am 1935)
House hearings held on H. R. 8052 (before Rules Committee) (281.12 Un35)
House hearings held on H. R. 6082 (adopted as Title II) (281.375 Un3)

This Act amended the Bankhead Cotton Act, the Kerr Tobacco Act, and enacted the Potato Act of 1935 (Title II) all of which were repealed by Act of Feb. 10, 1936. (Public No. 433)

Other sections were thrown out by the Supreme Court decision or repealed. An outline of the remaining sections follows:

Sec. 1. Amends Sec. 2 (1) of the Agricultural Adjustment Act to provide that the parity price for commodities whose base period is 1909-1914 shall reflect mortgage interest payments and tax rates per acre on farm real estate and amends Sec. 2 (2) and (3) of the Act by redefining the policy of Congress as to the protection of consumer interests.

Sec. 2. Amends Sec. 8 by striking out everything preceding subsection (2) by directing the Secretary of Agriculture, if upon the basis of an investigation he finds that the farm price of a commodity is or will be below the fair exchange value thereof, or the conditions of and factors relating to the production, marketing, and consumption of a commodity are such that the exercise of such powers would tend to effectuate the policy of the Act, to make payments to remove surpluses, and expand domestic or foreign markets. Prohibits use of such powers whenever, during a period during which any of the powers conferred above is being exercised, Secretary finds the farm price is or will be below the fair exchange value thereof, etc., after the end of the marketing year current at time when such proclamation is made, etc. Provides for holding of hearings in course of investigations required.

Sec. 4. Amends Sec. 8 (2) by designating it as 8b, and amending the first sentence.

Sec. 5. Strikes out Sec.8 (3) and adds the new subsection 8c. Directs the Secretary, after due notice of and opportunity for a hearing, to issue orders to handlers regulating the handling of commodities in the current of or directly burdening, obstructing or affecting interstate or foreign commerce, such orders to be based upon a finding that will tend to effectuate the declared policy of the Agricultural Adjustment Act and applicable to milk, fruits (including pecans and walnuts but not including apples, or fruits for canning, other than olives), tobacco, vegetables (not including vegetables for canning, other than asparagus), soybeans, and naval stores. The terms and conditions which orders issued pursuant to this section shall contain are outlined in the Act.

No order shall become effective until handlers of 50 percent of the volume of the commodity (larger for California citrus fruits) have signed a marketing agreement, and 2/3 by number of volume of the producers favor such order except that, with the approval of the President, an order shall become effective if handlers of 50 percent of the volume do not sign when (A) non-compliance of the handlers would tend to prevent the effectuation of the purposes of the Agricultural Adjustment Act, and (B) when the order is the only practicable means of advancing the interests of producers and is favored by 2/3 of them by number or volume. No order shall be issued contrary to a marketing agreement upon which a hearing has been held or to regulate advertising. Except in the case of milk and its products, orders shall be limited in their application to the smallest regional areas possible, and shall prescribe such different terms as may be necessary to correspond to local differences in production and marketing methods. Action by bona fide cooperative associations of producers in approving or disapproving orders shall be regarded as the action of the members thereof. Orders shall not be applicable to retailers in their capacity as such, except in the case of milk and its products, nor to producers in such capacity. Handlers violating orders shall be fined from $50 to $500 for each day counted as a separate violation. A handler may protest the illegality of an order by written petition, with opportunity for hearing and ruling by the Secretary, and recourse to the courts for review of such ruling. A marketing agreement or order may be terminated by the Secretary or on demand of a majority of producers by volume or number, and provisions applicable to orders are equally applicable to amendments thereto.

Sec. 6. Strikes out Sec. 8 (4) of the Agricultural Adjustment Act, and inserts new subsections 8d and 8e. Provide that relevant books and records may be examined by the Secretary to determine the extent of compliance with orders or agreements, the extent to which orders and agreements have been effective in achieving the purposes of the Act, and whether the privilege of exemption from the anti-trust laws has been abused, that information so obtained must be kept confidential, and that the base period with which to compare commodity prices may vary to meet particular requirements.

Sec. 7. Amends Sec. 8 (5) by designating it as 8f.

Sec. 8. Makes certain technical changes in Sec. 8a.

Sec. 9. Makes a technical change in Sec. 8a (6).

Sec. 10. Amends Sec. 8a (7) by inserting at the end thereof a sentence providing for investigation of violations of orders by handlers.

Sec. 16. Amends Sec. 10 (b) by authorizing the Secretary to encourage the establishment of State and local committees or associations of producers, providing that each order shall provide for payment by the handlers on a prorated basis, or the administrative expenses of such agencies.

Sec. 17. Makes a technical change in the language of Sec. 10 (e).

Sec. 18. Inserts a new Sec. 10 (i) authorizing the Secretary to cooperate with State authorities in order to obtain uniformity in the formulation, administration, and enforcement of Federal and State programs relating to the regulation of the handling of agricultural commodities.

Sec. 19. Makes a technical change in the language of Sec. 12 (a).

Sections 20-28 make certain changes, partly technical, in Sections 15 (a) (c) (d) and (e) and 16 (a) (2), (b), (c) and (e) (1), and 17 (a). Sections 15 (a) and (c), 16 (e) (1) and (e) (3), 17 (a) and 10 (d) were reenacted by Title IV, Revenue Act of 1936 (Public No. 740)

Sec. 30. Inserts a new section 21(a) (b) and (f) as follows:

(a) Denies the right to enjoin or restrain the collection of any tax under the Act imposed after the enactment of this Act, or to obtain a declaratory judgment in conncetion with any such tax.

(b) Specifically legalizes and ratifies the assessment and collection of all taxes imposed prior to the date of this Act.

Sec. 31. Adds a new Sec. 22: Provides that when competing imports materially interfere with any program or operation undertaken under this Act, the President may, after an investigation by the Tariff Commission, limit the quantity imported, and later either suspend or modify the limitation to fit changed conditions but no limitation can be imposed which limits the quantity to less than 50 percent of the average amount imported from any country annually between July 1, 1928, and June 30, 1933.

Sec. 32. Appropriates for each fiscal year beginning with the fiscal year 1936, an amount equal to 30% of the gross receipts from customs duties annually, to be maintained in a separate fund, and to be used by the Secretary to (1) encourage exports of agricultural commodities by the payments of benefits in connection therewith, (2) encouraging domestic consumption of such products by diverting surpluses from the normal channels of commerce, and (3) financing adjustments in the quantity planted or produced for market of such products. No part of these funds shall be expended pursuant to clause (3) unless the Secretary determines that the expenditure of such part pursuant to clauses (1) and (2) is not necessary to effectuate the purposes of this section. No part of this fund may be used to subsidize the export of unmanufactured cotton.

Sec. 33. Amends Sec. 7 which deals with cotton option contracts, by removing the requirement that the Secretary of Agriculture sell all cotton held by him under the Act by March 1, 1936, and directs him to sell at his discretion, and authorizes him to prescribe regulations by which cotton contracts may be transferred or assigned. Validates, upon determination of the Secretary, assignments made in good faith prior to Jan. 11, 1934.

Sec. 34. Repeals Sec. 6 which authorized the Secretary to enter into option contracts.

Sec. 35. Makes the appropriation provided by Sec. 4(b) available until the cotton acquired by the Secretary, including cotton futures, are finally marketed by any agency established to handle, carry, insure, or market such cotton.

Sec. 36. Amends Sec. 4 (f) so as explicitly to authorize the use of funds derived from the sale of cotton held by the Secretary for the purpose of meeting administrative expenses, warehouse charges, insurance, etc., incurred in handling such cotton.

Sec. 37. Authorizes appropriation of $40,000,000, of which sum $10,000,000 together with the unexpended balance of the appropriation provided by section 6 of Public Resolution No. 27, 73d Congress, to remain available until June 30, 1936, to eliminate diseased dairy and beef cattle, including those suffering from tuberculosis or Bang's disease, and to make payments to owners with respect thereto. Provides also for scientific experimentation and efforts to eradicate disease in cattle. Unexpended balance of funds appropriated by section 2 of Public Resolution No. 27, 73d Congress, shall remain available for the purposes of such section 2 until June 30, 1936.

Sec. 38. Provides that nothing in this Act shall invalidate any marketing agreement or license, or impair any remedy provided for the enforcement of any such marketing agreement or license, in effect on the date of enactment of this Act, or subsequent thereto, nor to invalidate any agreement entered into pursuant to Section 8 (1).

Sec. 55. Makes available out of money appropriated by the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11) such amount as the President may allot for the development of a national program of land conservation and utilization, including the acquisition of submarginal lands and their use for public purposes as the President shall prescribe.

Sec. 56. Declares it the policy of Congress to assure an adequate supply of hog cholera serum and virus and prevent undue fluctuation and unfair competition and trade practices, by regulating marketing of such serum and virus in interstate and foreign commerce.

Sec. 57. Authorizes the Secretary, after due notice and opportunity for hearing, to enter into marketing agreements with manufacturers and handlers of such products in interstate or foreign commerce.

Sec. 58. Marketing agreements entered into pursuant to section 57 shall contain one or more of the conditions specified in Section 8c (7) of the Agricultural Adjustment Act, as amended, and require each manufacturer to have available on May 1 of each year a supply of completed serum equivalent to not less than 40 percent of his previous year's sales.

Sec. 59. Provides that an order, to enforce a marketing agreement, may be issued when handlers of not less than 75 percent of the volume of serum and virus, entering into interstate and foreign commerce, sign the agreement.

Sec. 60. Makes provisions of subsections (6), (7), (8), and (9) of Sec. 8a and of subsections (14) and (15) of Sec. 8c of the Agricultural Adjustment Act, as amended applicable in connection with orders issued pursuant to Sec. 59. Makes provisions of Sec. 8d applicable in connection with marketing agreements entered into pursuant to Sec. 57 and orders issued pursuant to Sec. 59. Makes provisions of subsections (a), (b) (2), (c), (f), (h), and (i) of Sec. 10 applicable in connection with administration of Sections 56 to 60.

5. Attachment of United States Possessions to Internal-Revenue Collection Districts. Public No. 331 (S. 2652) Approved August 26, 1935.

Amends Sec. 10 (f) of the Agricultural Adjustment Act as amended to authorize the President to attach any or all of certain possessions of the United States (including the Philippine Islands) to internal-revenue collection districts for the purpose of collecting taxes under the Agricultural Adjustment Act.

6. Regulations Governing Investigations under Section 22 of the Agricultural Adjustment Act, As Amended.

Executive Order No. 7233, Nov. 23, 1935, provides:

1. Secretary of Agriculture, proceeding upon his own motion or upon a request from any interested party, is empowered to make such preliminary investigations with reference to matters within the scope of Sec. 22 of the Act, as amended, as he may deem advisable.

2. He is authorized to prescribe the manner in which requests for action shall be submitted by interested parties.

3. With reference to any preliminary investigation, the Secretary shall secure such information from interested parties as he may deem desirable, and on the basis of the information so obtained and such other information as may be available, determine whether the showing made or the facts disclosed warrant further investigation. He shall thereupon make his recommendations to the President in order that, in the light of such recommendations, the President may direct that no further action be taken, or may cause the Tariff Commission to make an immediate investigation as provided for in Section 22.

The Tariff Commission, when so directed, shall make an immediate investigation, such to be governed by the regulations prescribed by the President in the Executive Order, which relate to the following subjects: Public notice; hearings (any interested person may appear at the hearing, either in person or by representative, and produce relevant and material evidence); confidential information; and reports (by the Commission to the President including findings of fact, steps taken in the investigation, and its recommendations based thereon).

7. Agricultural Adjustment Act, Approved May 12, 1933.

Declared unconstitutional by the Supreme Court in the case of United States of America v. Wm. M. Butler, et al., receivers of the Hoosac Mills Corporation, on Jan. 6, 1936. The opinion of the Supreme Court, together with the dissenting opinion was printed as H. Doc. 386 or may be found in 297 U. S. 1.

In this case the court declared unconstitutional the function of collecting taxes from processors of agricultural products for payment of rental and assistance payments to farmers cooperating in crop control programs. The majority opinion, written by Mr. Justice Roberts, construed the general welfare clause as a substantive grant of power, so that the tax and spending power of Congress is not limited to its other enumerated powers, but declared that the tax power is nevertheless subject to limitations, one of them being the Tenth Amendment. It concluded that the whole Agricultural Adjustment Act was intended to control and regulate

agricultural production, therefore tax power cannot be used for such purpose, since the tax, the appropriation of the funds raised, and the direction for their disbursement constitute means to an unconstitutional end.

In a decision handed down Jan. 13, 1936, in the case of Rickert Rice Mills, Inc. v. Rufus W. Fontenot (297 U. S. 110) the Supreme Court held that the Amendments to the original Act (Public No. 320) did not validate the processing tax and did not cure the infirmities of the original Act. The Court decided that a decree of a district court dismissing a processor's suit to enjoin the collection of the tax was vacated, and held the processor entitled to payment of funds impounded pendente lite.

8. To Repeal the Kerr Tobacco Act, Bankhead Cotton Act of 1934, and the Potato Act of 1935. Public No. 433 (S. 3934) Approved Feb. 10, 1936.

This Act is amended by Public No. 463 (H.R. 11138) approved March 2, 1936 entitled: To extinguish tax liabilities and tax liens arising out of the Tobacco, Cotton, and Potato Acts.

As amended the Act reads: That Public Law Numbered 483, Seventy-third Congress, as amended, known as the Kerr Tobacco Act, and Public Law Numbered 169, Seventy-third Congress, as amended, known as the Bankhead Cotton Act of 1934, except section 24 thereof, and sections 201 to 233, both inclusive, of Public Law Numbered 320, Seventy-fourth Congress, known as the Potato Act of 1935, be and the same hereby are, repealed. No tax, civil penalty, or interest which accrued under any provision of law repealed by this Act and which is uncollected on the date of the enactment of this Act shall be collected; and all liens for taxes, civil penalties, or interest arising out of taxes under such provisions of law are canceled and released.

The Bankhead Cotton-Control Act of 1934, Sec. 5 (a), was amended by Public Resolution No. 47 (H.J.Res. 258), approved August 9, 1935, entitled: To Provide for Certain State Allotments under the Cotton Control Act. It provided that beginning with the crop year 1935-1936 no State should have an allotment of less than 4,000 bales if during any one of the 10 crop years prior to date of its enactment the production of such State exceeded 5,000 bales.

House Hearings were held on the bills H.R. 5578 and H.R. 6424, to continue the Cotton Control Act, etc. (281.372 Un3Ba)

Proclamation of the President No. 2118, Feb. 28, 1935, made the provisions of the Cotton-Control Act effective with respect to the crop year 1935-1936, by authority of Sec. 2 of the Cotton-Control Act (Public No. 169, 73d Congress)

9. The 1935 Cotton Price Adjustment Plan.

The Supplemental Appropriation Act, fiscal year 1936 (Public No. 440) approved Feb. 11, 1936 makes available "so much as may be necessary of the amount appropriated for the fiscal year ending June 30, 1936, by Sec. 32" of the Act amending the Agricultural Adjustment Act (Public No. 320, 74th Congress), to "make the

payments provided for in the 1935 cotton price adjustment payment plan (set forth in the printed forms issued by the Secretary of Agriculture, designated forms numbers C.A.P. 1 to 5 and forms supplementary thereto) to the persons and in the amounts and in the manner prescribed in said plan, except that the provisions of said plan which condition the making of payments upon the producer undertaking to cooperate in the 1936 cotton adjustment program formulated under the Agricultural Adjustment Act shall be of no force and effect, and to pay the necessary administrative expenses", etc. Authorizes applications for and the payments thereon and permits employment of such forms without alteration and making of payments without regard to any references to any undertaking to comply with the 1936 cotton adjustment program. Provides that "payments payable hereunder to cotton producers who in 1935 operated on a farm which was not in 1935 covered by a 1934 and 1935 cotton acreage reduction contract or which in 1935 was covered by such a contract which was not complied within in 1935 shall be made as soon as may be without delaying payments to producers who in 1935 operated on a farm covered by such a contract which was complied with in 1935." (Communication from the President of the U. S. transmitting the draft of this provision as proposed, and necessity therefor, printed as H. Doc. 393, Jan. 20, 1936) Further provides that "during the fiscal years 1936 and 1937 in carrying out clause 2 of Said Sec. 32, the Secretary of Agriculture may, if he finds that the purposes of said section will be accomplished thereby, purchase without regard to Sec. 3709, Revised Statutes, agricultural commodities and products thereof, including purchases for donation to the Federal Surplus Commodities Corporation.

Makes available $300,000 for administrative expenses, exportation and domestic consumption of agricultural commodities, from appropriation made by sect 32 of the Act amending the Agricultural Adjustment Act (Public No. 320)

10. Payments for Agricultural Adjustment.

Supplemental Appropriation Act, fiscal year 1936 (Public No. 440) approved Feb. 11, 1936 appropriates $296,185,000, together with a sum not exceeding $700,000, equal in amount to the unexpended balances of the funds heretofore established by the President under authority of Sec. 15 (f) of the Agricultural Adjustment Act, as amended, and directed by the Secretary of Agriculture, with the approval of the President, to be spent for the benefit of agriculture in Puerto Rico and Hawaii, to enable the Secretary to meet all obligations and commitments (including salaries and administrative expenses) heretofore incurred under the provisions of the Agricultural Adjustment Act, as amended. Prohibits use of funds for rental and benefit payments in connection with adjustment contracts entered into on or prior to January 6, 1936, and requires partial performance by the farmer in case of payments on adjustment contracts entered into prior to January 6, 1936. Permits use of funds for rental and benefit payments to farmers who have applied for contracts, "and who prior to January 6, 1936, have in good faith made adjustments in acreage and otherwise substantially complied with the requirements of the Secretary of

Agriculture in connection with a crop program, regardless of whether contracts have been signed." Provides that funds "herein made available for administrative expenses shall be available for allotment to the bureaus and offices of the Department of Agriculture and for transfer to such other agencies of the Federal or State Governments as the Secretary of Agriculture may request to cooperate with or assist in the administration of the work under this appropriation or of the Agricultural Adjustment Act, as amended, including necessary investigative work." (Communication from the President of the United States transmitting this appropriation is H. Doc. 396, Jan. 22, 1936)

This is amended by Public No. 802 (S. 4786) approved June 25, 1936, which adds at the end of the third sentence the following: "and the determination of the Secretary as to the correct base acreage and production figures (regardless of the figures on which the contract was based) and as to the person or persons entitled to receive such fair and equitable payments shall be final and conclusive."

11. Payments To Cotton Ginners.

Supplemental Appropriation Act, fiscal year 1936 (Public No. 440) approved Feb. 11, 1936, provides that the appropriations to carry into effect the Bankhead Cotton Act (Public No. 169,73d Congress), as amended, are made available to carry out the provisions of Sec. 40 of the Agricultural Adjustment Act Amendments (Public No. 320) whether or not said Bankhead Cotton Act continues in force and effect, for payments to cotton ginners. (Message from the President transmitting this provision printed as S. Doc. 136)

12. Amendment of Sec. 32 of the Act to amend the Agricultural Adjustment Act, and for other purposes (Public No. 320)

Sec. 2, Soil Conservation and Domestic Allotment Act (Public No. 461 approved Feb. 29, 1936) amends Sec. 32 "by striking out clause (3) and inserting in lieu thereof, '(3) reestablish farmers' purchasing power by making payments in connection with the normal production of any agricultural commodity for domestic consumption. Determinations by the Secretary as to what constitutes diversion and what constitutes normal channels of trade and commerce and what constitutes normal production for domestic consumption shall be final,' and by striking out that part of the last sentence thereof which precedes the second proviso and inserting in lieu thereof: 'The sums appropriated under this section shall be expended for such one or more of the above-specified purposes, and at such times, in such manner, and in such amounts as the Secretary of Agriculture finds will effectuate substantial accomplishment of any one or more of the purposes of this section.'"

13. Amendment of Sec. 22 of the Agricultural Adjustment Act, as amended.

Sec. 5, Soil Conservation and Domestic Allotment Act (Public No. 461 approved Feb. 29, 1936) inserts after the words "this title" wherever they appear the following: "or the Soil Conservation and Domestic Allotment Act, as amended"; and strikes out the words "an adjustment" wherever they appear inserting in lieu thereof the word "any".

14. Making Unexpended Balance Available Until June 30, 1937.

Sec. 3, Soil Conservation and Domestic Allotment Act (Public No. 461 approved Feb. 29, 1936) authorizes the unexpended balances of funds appropriated by the 2d paragraph of the Cotton-Cattle Dairy Relief Resolution (Public Resolution No. 27, 73d Congress) and of funds appropriated or reappropriated by Sec. 37 of the Act to amend the Agricultural Adjustment Act (Public No. 320) to be made available for the purposes enumerated in said Acts until June 30, 1937. The authorization, which is limited to June 30, 1936, contained in Sec. 37 (Public No. 320) is "likewise extended so that the funds therein authorized are authorized to be made available until June 30, 1937."

15. Authorizing the Completion of Certain Records and Operations Resulting from the Administration of the Kerr Tobacco Act, the Bankhead Act of 1934, and the Potato Act of 1935 (Repealed), and Making Funds Available for Those and Other Purposes. Public Resolution No. 76 (H.J.Res. 514) Approved March 14, 1936.

Makes available until Sept. 1, 1936, $1,068,825 of the appropriation of $296,185,000 contained in the Supplemental Appropriation Act, fiscal year 1936 (Public No. 440) to be used for the following purposes:

(1) So much as may be necessary, not to exceed the sum of $1,026,000 (notwithstanding Public No. 433) for the redemption of tax-payment warrants as provided in the Kerr Tobacco Act, including administrative expenses necessary therefor; for salaries and administrative expenses incurred on or before Feb. 10, 1936, under the Kerr Tobacco, Bankhead Cotton and Potato Acts, or sections of such Acts, repealed; for such personal services and means, etc. and other administrative expenses incurred after that date as the Secretary of Agriculture and the Commissioner of Internal Revenue, respectively, deem necessary, in order expeditiously to complete and preserve all of the administrative records showing the various transactions and activities involved in the administration of such Acts; and, if no other funds are available, for such salaries and administrative expenses as were incurred on or before Feb. 10, 1936, in the operation of the several cotton tax-exemption certificate pools established pursuant to regulations prescribed under said Bankhead Act, and such salaries and administrative expenses thereafter incurred as the Secretary of Agriculture finds to be necessary for the purpose of completing the work relating to and liquidating, as soon as may be, such pools.

(2) So much as may be necessary, not to exceed the sum of $42,825, for salaries and necessary administrative expenses, to complete the work of auditing vouchers and payment of freight bills in transactions entered into by the Secretary of Agriculture with relation to the purchase and sale of seed as a result of the allocations to the Secretary authorizing the purchase and sale of seed made pursuant to the Emergency Appropriation Act, fiscal year 1935.

Directs the Secretary of Agriculture to transfer to the Treasury Department, out of the funds made available by this joint resolution such sums (not to exceed a total of $175,000) as are required for the Bureau of Internal Revenue to carry out the above-stated purposes.

The sum of $453,100 of the $296,185,000 appropriation "shall be returned to surplus immediately upon the enactment of this joint resolution."

16. Correcting an Error in Section 16 (3) (1) of the Agricultural Adjustment Act, as amended. Public No. 649 (H.R. 11821) Approved June 4, 1936

Strikes out "subsequent to June 26, 1934" and inserts in lieu thereof "on or after June 1, 1934" with respect to adjustments in taxes on stocks in hand, in the case of a reduction in processing tax.

17. Modifying and Extending the Jones-Costigan Sugar Act, As Amended. Public Resolution No. 109 (S.J. Res. 278) Approved June 19, 1936.

Provides that under the Jones-Costigan Sugar Act (Public No. 213, 73d Congress) as amended, "no further processing, compensating, or floor-stocks tax shall be levied or collected respecting sugar beets or sugarcane or the products thereof as defined by such Act as amended nor shall any contract be entered into under the provisions of such Act, as amended, with the producers of sugar beets or sugarcane, but in all other respects such amendatory Act shall be and remain in force and effect until December 31, 1937, and the quotas established and allotments heretofore made by the Secretary of Agriculture are hereby ratified.

"Sec. 2. In order to regulate commerce with Cuba and other foreign countries, among the several States, with the Territories and possessions of the United States, and the Commonwealth of the Philippine Islands, with respect to sugar, the quotas for the respective sugar-producing areas shall be the same (subject to modification or adjustment by the Secretary of Agriculture under conditions set out in such Act) for the calendar years 1936 and 1937 as those initially established by the Secretary of Agriculture for the calendar year 1936." For the calendar year 1937 there shall be allotted to continental United States not less than 30 percent of any amount of consumption requirements therefor above 6,452,000 short tons, raw value. Any "sugar-marketing quota may be allotted by the Secretary of Agriculture, in order to prevent disorderly marketing or importation of sugar, on the basis of prior allotments under such Act, changes in marketing since the first such allotment, marketings during the calendar year 1935, and ability to perform."

18. Marketing Agreements with Respect to Hog Cholera Virus and Serum.

The First Deficiency Appropriation Act, fiscal year 1936 (Public No. 739) approved June 22, 1936, makes available during the fiscal years 1936 and 1937 the sum of $30,000 of the appropriation made by Sec. 12 (a) of the Agricultural Adjustment Act (Public No. 10, 73d Congress), to the Bureau of Animal Industry to carry into effect Sec. 56 to 60 inclusive of the Amendments to the Agricultural Adjustment Act (Public No. 320) approved August 24, 1935. (p. 23) (See H. Doc. 464 for message transmitting provision to Congress)

19. Export, Charitable, Etc., Refunds and Floor Stocks Adjustment under Agricultural Adjustment Act. Title IV, Public No. 740 (H.R. 12395) Approved June 22, 1936.

Sec. 601 (a). Reenacts Sections 10(d), 15(a), 15 (c), 16 (e) (1), 16 (e) (3), and 17 (a) of the Agricultural Adjustment Act, as amended, but only to allow refunds in accordance therewith in cases where the delivery for charitable distribution or use, or the exportation, or the manufacture of large cotton bags, or the decrease in rate of the processing tax (or its equivalent under section 16 (e) (3)), took place prior to Jan. 6, 1936.

(b) Prohibits refunds to processors or others (except under Sec. 15(a) as herein reenacted) who paid or were liable for the tax with respect to the articles on which the claim is based. Prohibits refunds to persons who paid a tax prior to Jan. 6, 1936, by taking as a credit against such amount an amount otherwise allowable as a refund under Sections 15 (a or c), 16 (e) (1 or 3), or 17 (a). Prohibits refunds unless person establishes that he has not received, and is not entitled to receive, reimbursement from the processors or other vendors. No claim shall be disallowed (except claims of processors under Sec. 15 (a)) on the ground that the tax with respect to the article or commodity from which processed has not been paid.

(c) Prohibits refunds unless claim is filed prior to Jan. 1, 1937. Claims for less than $10 shall not be allowed. Repeals Sections 16 (g) and 21 (f) of the Agricultural Adjustment Act as amended.

(d) Prohibits review of decisions of Commissioner of Internal Revenue (in the absence of fraud) by officers, agents, etc. of the United States.

(e) Determinations of Commissioner of Internal Revenue with respect to refunds shall be final and not subject to court review.

(f) No interest shall be allowed in connection with any refund.

(g) Amends Sec. 16 (e) (1) of the Agricultural Adjustment Act, as reenacted by subsection (a) of this section, by striking out "subsequent to June 26, 1934" and inserting in lieu thereof "on or after June 1, 1934."

Sec. 602 (a). Provides for payments to holders of floor stocks on Jan. 6, 1936, but excludes those who were also processors or other persons who paid or were liable for the tax from benefits of this section.

(b) Provides that payments to holders of floor stocks shall be equal to the processing tax which would have been payable had the article been processed on Jan. 5, 1936, but shall not exceed the amount (1) passed on to the claimant as part of the price and not repaid to him, and (2) applicable to the articles held on Jan. 6, 1936, which claimant has not passed on to his vendees and has not included in the sale price. In lieu of a detailed schedule under clauses (1) and (2) claimant may (subject to approval of the Commissioner) submit an affidavit setting forth amounts of tax burden (1) passed on to him, (2) for which he has received or is entitled to receive reimbursement from processor or other vendor, (3) that he has passed on to his vendees or has included in sale price, and (4) that he has borne himself.

(c) Defines terms "commodity subject to a processing tax", "tax with respect to the article", and "sale price."

(d) Prohibits payments unless claim is filed prior to Jan. 1, 1937, and claimant must establish the facts.

(e) Claims shall not be disallowed on ground that tax with respect to article or commodity from which processed has not been paid. Claims for less than $10 shall not be allowed.

(f) Allows payments with respect to articles held in retail floor stock only with respect to (1) flour, prepared flour, cereal preparations, and gluten, made chiefly from wheat, (2) articles processed wholly or in chief value from cotton, and (3) direct-consumption sugar processed from sugar beets or sugarcane.

(g) In case of articles sold under a contract entered into prior to Jan. 6, 1936, whereby vendee agreed to pay a price including amount of the tax, but which were not delivered prior to such date, the vendee shall be considered the holder of such articles.

(h), (i) and (j) Correspond to sections (d), (e) and (f) of Sec. 601, except that they apply to payments rather than refunds.

Sec. 603. Provides that proclamations, certificates, and regulations prescribed by the Secretary of Agriculture under the Agricultural Adjustment Act, as amended, in effect on Jan. 5, 1936, insofar as not inconsistent with this Act, shall be made applicable for the purpose of determining the amount of any refund or payment authorized under this Title.

20. Refunds of Amounts Collected under The Agricultural Adjustment Act. Title VII, Public No. 740 (H.R. 12395) Approved June 22, 1936.

Sec. 901. Repeals Sec. 21 (d), (e) and (g) of the Agricultural Adjustment Act, as amended.

Sec. 902. Requires any person who claims a refund of processing taxes under the Agricultural Adjustment Act to prove (a) that he bore the burden of such amount and has not been relieved thereof nor reimbursed therefor, nor shifted such burden, or (b) that he has repaid unconditionally such amount to his vendee.

Sec. 903. Requires that claims be filed before July 1, 1937. All evidence shall be clearly set forth. Authorizes the Commissioner of Internal Revenue to prescribe certain regulations relating to the submission of more than one claim by a single person.

Sec. 904. Provides that no suit shall be brought or maintained in any court for the recovery, etc. of any amount paid by or collected from any person as a tax under the Agricultural Adjustment Act (1) until after 18 months from the date of filing the claim with the Bureau of Internal Revenue, unless a decision is rendered before that time, or (2) after 2 years from the date notice of disallowance is given of that part of the claim to which the court proceedings relate.

Sec. 905. Gives the United States District Courts concurrent jurisdiction with the Court of Claims over all cases te which this title applies.

Sec. 906(a) Provides that the Commissioner shall allow or disallow any claim for refund of any amount paid or collected as processing tax within 3 years after filing of claim unless extended by written consent of the claimant. No suit or proceeding shall be brought or maintained in any court for a refund except as provided in this section.

(b) Establishes a Board of Review in the Treasury Department, of 9 members to have jurisdictien in proceedings under this section to review the allowance or disallowance of the Commissioner of a

claim or refund, and to determine the amount of refund due claimant.

(c) Allowance or disallowance of the Commissioner shall be final unless claimant files a petition with the Board within 3 months requesting a hearing.

(d)-(g) Relate to conducting of hearings, findings of fact and a decision, drawing up of a table of costs (to be paid by claimant unless there is a modification of the allowance or disallowance), and court review of the decision of the Board.

(g) Provides for court review of the decision of the Board.

Sec. 907. Sets forth presumptions whereby a claimant may make out a prima facie case as to the extent to which he bore the burden of the tax and show that he is entitled to a refund.

(a) Where refund claimed is for an amount paid or collected as processing tax, it shall be prima facie evidence that the burden of such amount was borne by the claimant to the extent that the average margin per unit of the commodity processed was lower during the tax period before and after the tax.

(b) Provides for determining average margin for the tax period and average margin for the period before and after the tax.

(c) Defines term "tax period."

(d) Provides for determining the purchase or sale price if claimant made purchase or sale otherwise than through an arm's-length transaction.

(e) Provides for rebuttal of the presumption established by subsection (a) by proof of the actual extent to which claimant shifted the burden of the processing tax to others.

Sec. 908. Provides that no claim shall be allowed for less than $10, and no interest shall be allowed except on the amounts refunded under this Title.

Sec. 909. Provides that in the absence of fraud or mistake in mathematical calculation, no other officer or employee of the United States shall review the claim.

Sec. 910. Provides that no person properly authorized to collect taxes under the Agricultural Adjustment Act shall be liable for any act done by him in such collection.

Sec. 911. Provides that the provisions of this Title shall not apply to refunds made under Sections 15, 16, or 17 of the Agricultural Adjustment Act, as amended and reenacted, or with respect to any articles exported under the provisions of Sec. 317 of the Tariff Act of 1930.

Sec. 912. Provides that any suit or proceeding with respect to any amount paid or collected as tax under the Agricultural Adjustment Act which is barred on the date of enactment of this Act shall remain barred.

Sec. 913. Defines terms "tax", "processing tax", "commodity", "article", "refund", and "Agricultural Adjustment Act" (original Act and amendments adopted prior to Jan. 6, 1936)

Sec. 914. Authorizes the Commissioner or his agent to examine any papers, books, etc., require the attendance of the claimant or others having knowledge in the premises, and to take their testimony, as well as that of witnesses, such information to be available to the Secretary of Agriculture, upon written request, and to be kept confidential by employees of the Department of Agriculture.

Sec. 915. Makes funds available to the Secretary of Agriculture by the appropriation for the fiscal year 1936 in Sec. 32 of the Act approved August 24, 1935 (Public No. 320), to the extent of the unobligated balance thereof and by Sec. 12 (a) of the Agricultural Adjustment Act, in an amount not in excess of $15,000,000 until June 30, 1937, for transfer to the Treasury Department for salaries and expenses in carrying out the provisions of this Title and Title IV, and for refunds and payments under Title IV.

Sec. 916. Authorizes the Commissioner to prescribe rules and regulations necessary to carry out the provisions of this Title.

Sec. 917. Authorizes the Secretary of the Treasury to appoint necessary personnel without regard to civil-service laws, limiting salaries to $8,500, and provides for detail of officers and employees to the Treasury Department for temporary duties from other departments and establishments of the Government, the Treasury Department to reimburse such departments, etc.

21. Letter of Senator George W. Norris to the Secretary of Agriculture, requesting data showing "(1) the profits of the important industries involved in the processing tax refunds, (2) the relation of the impounded and other outstanding processing taxes to those profits, and (3) the way processors altered or failed to alter their operating and profit margins when processing taxes were in effect and since they have been removed." Feb. 13, 1936.

Letter and response printed as S. Doc. 178: Refunds of Processing Taxes. Feb. 20, 1936.

22. S. Res. 265. (Agreed to April 27, 1936): Directing the Secretary of Agriculture to furnish to the Senate "the name, county, and State (including Puerto Rico and Hawaii), and the amount paid to each producer, in the sum of $10,000 or more, for each contract year, together with commodity, acreage, or number of livestock involved for which payment was made, pursuant to the Agricultural Adjustment Act, as amended." Requires that total amount paid for each basic commodity for each State or Territory or possession be given for each contract year and the total number receiving such payments. Requests the Senate Committee on Agriculture and Forestry, on the basis of the data submitted, to report to the Senate the degree to which land ownership had by 1933 become concentrated in large corporate holdings, with such recommendations as the committee may see fit to make to Congress.

Partial report of the Department of Agriculture received June 19, 1936, and ordered printed as a Senate Document.

Agricultural Credit

23. Farm Credit Act of 1935. Public No. 87 (S. 1384) Approved June 3, 1935.

Senate Hearings held on bill (284.2 Un31Fa 3 pts)
House Hearings held on bill (284.2 Un324Fa)

Sections 2, 16 and 17 amend the Emergency Farm Mortgage Act of 1933, as amended.

Sec. 2. Amends Sec. 32 relative to Land Bank Commissioner loans. Removes limitation that loans must be for purpose of reducing and refinancing an existing mortgage, and permits loans secured by

first or second liens on real property, with maturities up to 43 years. Enlarges purposes for which loans may be made to include all those for which Federal land banks are authorized to make loans, thus eliminating restriction that loans cannot be made for purpose of financing purchases of farm property or for the construction of improvements. Also authorizes loans to refinance an indebtedness which has not been assumed personally by the borrower but which is secured by a lien on all or a part of the property accepted as security for the loan, now permitted to Federal land banks.

Enlarges definition of farmer to include livestock raisers, and to include a person shortly to become engaged in farming. Permits loans to any corporation engaged in the raising of livestock with the restrictions that no such loan shall be made unless all the stock of the corporation is "owned by persons themselves personally actually engaged in the raising of livestock on the land to be mortgaged as security for the loan," except where the Commissioner permits such a loan if at least 75 percent of the stock is so owned, and unless the owners of at least 75 percent of the stock assume personal liability for the loan. Forbids loans to any corporation which is a subsidiary of, or affiliated (either directly or through substantial identity of stock ownership) with, a corporation ineligible to procure a loan in the amount applied for. Sec. 18 of this Act amends Sec. 12 of the Federal Farm Loan Act, as amended, with reference to Federal land-bank system loans to corporations, in the same manner as above. Sections 19, 20, and 21 amend Sections 7, 9, and 31 of the Federal Farm Loan Act, as amended, making certain technical changes in connection with Sec. 18.

Extends until February 1, 1940, the time within which loans can be made by the Commissioner; removes the present limitation ($600,000,000) on the amount of bonds of the Federal Farm Mortgage Corporation which may be used in making such loans; and permits such loans to be made in consolidated farm-loan bonds if acceptable to the borrower.

Empowers any Federal land bank, when duly authorized by the Commissioner and the Federal Farm Mortgage Corporation "to execute any instrument relating to any mortgage taken to secure a loan made or to be made under this section, or relating to any property included in any such mortgage, or relating to any property acquired" by the Commissioner or the Corporation. This eliminates formal authorization on the part of the Commission or the Corporation in cases where borrowers request release of portions of the mortgaged security from the lien of the mortgages (to permit sales of portions of the security, the conveying of rights-of-way for road-building operations, and similar purposes).

Sections 16 and 17 amend Sections 30 and 31 to extend for an additional period of 2 years the present authority of the Land Bank Commissioner to make loans to joint-stock land banks in order to further their orderly liquidation and likewise the authority of the Commissioner to make loans to such banks for the purpose of securing the forbearance of the foreclosure of first mortgages for default in principal or interest payments or delinquencies in tax payments.

Sec. 17 also amends the Act authorizing production credit associations to make loans to oyster planters (Public No. 381, 73d

Congress), by striking out the following: "who are carrying on their operations under leases of oyster beds granted by any State or political subdivision thereof."

Sections 3-8, and 18-22 amend the Federal Farm Loan Act, as amended. Sec. 3 amends paragraph 12 of Sec. 12 to reduce the interest rate paid by Federal land-bank borrowers whose loans were obtained through national farm-loan associations or were outstanding on May 12, 1933, to a maximum of 3 1/2 percent per annum for all interest payable on installment dates occurring within a period of 1 year, beginning July 1, 1935, and to a maximum of 4 percent per annum for all interest payable on installment dates occurring within a period of 2 years commencing July 1, 1936. Makes corresponding reductions in the maximum rates of interest payable during the same periods by Federal land-bank borrowers who obtained loans direct or through branches. Sec. 22 amends paragraph 5 of Sec. 12 to provide that in determining the earning power of land used in the raising of livestock due consideration shall be given to the extent to which the earning power of the fee-owned land is augmented by a lease or permit for the use of a portion of the public lands.

Sec. 4 amends Sec. 24 so as to subject the declaration and payment of dividends by national farm loan associations to the approval of the Land Bank Commissioner.

Sec. 5 amends Sec. 202 to authorize Federal intermediate credit banks to discount paper for banks for cooperatives, and/or to make loans to such banks and to charge commissions for accepting drafts and bills of exchange drawn upon the banks by cooperative associations.

Sec. 6 amends Sec. 203 to authorize the issuance of consolidated debentures by Federal intermediate credit banks, following substantially the same procedure as that followed by Federal land banks in the issue of their consolidated bonds. Provides that these debentures shall be legally acceptable as lawful investments, and security for all fiduciary, trust, and public funds held under the authority or control of officers of the United States.

Sec. 7 amends Sec. 204 (a) to provide that rates of discount and interest charged by any Federal intermediate credit bank shall be subject to approval by the Intermediate Credit Commissioner; and that, except with the approval of the Governor, shall not exceed more than 1 percent per annum the rate borne by the last preceding issue of debentures.

Sec. 8 adds a new subsection 208 (e) authorizing various Government departments, boards, commissions, independent establishments, the Reconstruction Finance Corporation, the Federal Reserve Board, and the Federal Reserve banks, upon request of the Governor of the Farm Credit Administration, to furnish any Federal intermediate credit bank, in confidence, any information they may have relating to the condition of any institution with which the bank has, or contemplates having, financial relations.

Sections 9-12 amend the Agricultural Marketing Act, as amended. Sec. 9 amends Sec. 7 (a) to broaden the authority of the Farm Credit Administration and the banks for cooperatives in making loans for physical facilities to permit loans not only to cooperative marketing associations, but to all cooperative businesses.

Sec. 10 amends Sec. 7 (c) to permit any physical facility loan to be made for an amount not exceeding 60 percent of the appraised value of the security therefor, instead of 60 percent of the value of the facilities which are to be constructed or acquired with the proceeds of the loan.

Sec. 11 amends Sec. 8 (a) to provide that the rate of interest on physical facility loans made by the Farm Credit Administration or banks for cooperatives to cooperative associations, on the security of commodities shall conform, as nearly as practicable, to the prevailing interest rate of commodity loans charged by the Federal intermediate credit bank of the district in which the principal office of the association is located. In the case of loans, other than upon the security of commodities, the rate shall conform to a rate of 1 percent in excess of the prevailing rate paid by production credit associations to the Federal intermediate credit bank.

Sec. 12 amends Sec. 15 (a) to broaden the definition of cooperative associations eligible to borrow to include cooperative associations in which farmers act together in distributing, and/or furnishing farm supplies and/or farm business services. Adds sentence providing that in determining the volume of member and nonmember business transacted by cooperative associations all business transacted for or on behalf of the United States or any agency or instrumentality thereof shall be disregarded.

Sections 13-15 amend the Farm Credit Act of 1933. Sections 13 and 14 amend Sections 34 and 41 relative to authorizing banks for cooperatives to borrow from, and to buy, sell, or discount paper with, the Federal intermediate credit banks. These amendments are correlative to Section 5 (a).

Sec. 15 amends Sec. 35. Subsection (a) requires borrowers whose loans are secured by commodities to own only such amount of stock in a bank for cooperatives as is prescribed by the Governor of the Farm Credit Administration rather than an amount equal in fair book value to $100 per $2,000 of the amount of the loan. Subsection (b) authorizes a bank for cooperatives to permit retention of stock in the bank by borrowers who have discharged their loans. Subsection (c) adds a new subsection giving each bank for cooperatives the authority to realize, in partial or total liquidation of indebtedness, upon the stock of such bank held by defaulting borrowers.

Sec. 23 renders ineligible for appointment or election as an administrative or executive official or as a member of the board of directors of a Federal land bank or affiliated institutions, any person who has been finally adjudged guilty of a felony, or liable in damages in any civil proceeding for fraud, in a State or Federal court.

24. Amendment of Sec. 32 of the Emergency Farm Mortgage Act of 1933 (Title II, Agricultural Adjustment Act, Public No. 10, 73d Congress)

Sec. 32 of the Home Mortgage Relief Act (Public No. 76. Approved May 28, 1935) amends Sec. 32 of the Emergency Farm Mortgage Act of 1933, to provide that in case of loans by the Land Bank Commissioner under this section farm property may be valued at an amount representing a prudent investment consistent with com-

munity standards and rentals, if the person occupying the property is not entirely dependent upon farm income for his livelihood and if the farm income from the property, together with earnings from other dependable sources ordinarily available in the community to a person operating the property, would be sufficient to support his family, to pay operating expenses and fixed charges, and to discharge the interest and amortization payments on the loan.

25. Amending Section 36 of The Emergency Farm Mortgage Act of 1933, as amended. Public No. 752 (H.R. 9484) Approved June 22, 1936.

Changes Sec. 36 of the Emergency Farm Mortgage Act of 1933 (Title II, Public No. 10, 73d Congress), as amended, by clarifying the act and making it possible for drainage, levee, and reclamation districts to secure loans for repairing levees, cleaning ditches, constructing and repairing pumping stations, or making any other improvements that are desirable for the proper functioning of the project. Originally the Reconstruction Finance Corporation was authorized to make loans to irrigation districts, whether or not they have any indebtedness, for the purpose of purchasing additional water rights, appurtenances, or improving the project, but drainage, levee, and reclamation districts were barred from securing loans for such purposes by interpretation of the R.F.C.

Authorizes loans to districts that do not have completed projects and for the purchase of partially completed projects. Present requirement that no additional or new lands may be brought into production outside of the present boundaries of any established or reorganized irrigation district remains practically as before.

26. To Amend The Federal Farm Loan Act and The Farm Credit Act of 1935. Public No. 792 (H.R. 10101) Approved June 24, 1936.

Amends paragraph 12 of Sec. 12 of the Federal Farm Loan Act, as amended by Sec. 3 (a) of the Farm Credit Act of 1935 (Public No. 87) by reducing from 4 to 3 1/2 percent the rate of interest, for a period of 2 years commencing July 1, 1935, on mortgages made through national farm-loan associations.

Crop Loans

27. Emergency Crop Loan Act of 1935. Public No. 11 (H.R. 3247) Approved February 20, 1935.

Authorizes the Governor of the Farm Credit Administration to make loans to farmers in the United States (including Alaska, Hawaii, and Puerto Rico) during the year 1935 for fallowing, production, and harvesting of crops, and feed for livestock, upon terms and conditions, and subject to regulations prescribed by him.

Requires as security a first lien, or an agreement to give a first lien, upon crops to be produced or harvested, or upon livestock to be fed, with the proceeds of such loan. The interest rate on each loan is 5 1/2 percent.

In order to obtain a loan, the applicant must establish (1) that he is unable to procure from other sources a loan in an

amount reasonably adequate to meet his needs for the purposes for which loans may be made under this Act; and (2) that he is cooperating directly in the crop production control program of the Agricultural Adjustment Administration or is not proposing to increase his 1935 production of basic agricultural commodities in a manner detrimental to the success of such program.

The Act limits to $500 the amount which may be loaned to an individual borrower, but provides that in any area certified by the President of the United States to the Governor as a distressed emergency area the Governor may make loans without regard to this limitation, under such regulations as he may prescribe.

Authorizes an appropriation of $60,000,000, any part of which may be made up of unobligated balances of appropriations and funds available for advances or loans, and all repayments of such advances and loans and interest, under certain enumerated acts.

The First Deficiency Appropriation Act, fiscal year 1935 (Public No. 21) reappropriates $60,000,000 from unobligated balances (to be designated by the President) under allocations from the appropriation of $525,000,000 for relief in stricken agricultural areas contained in the Emergency Appropriation Act, 1935 (Public No. 412, 73d Congress), to carry out the Act, to remain available until June 30, 1936.

28. Funds for Loans to Farmers During Year 1936.

Executive Order No. 7305, Feb. 28, 1935 (by authority of the Emergency Relief Appropriation Act of 1935) sets aside from funds provided by the said Act $30,000,000 (of which $7,000,000 is hereby allocated to be supplemented from time to time by such additional allocations as may be necessary) for use of the Farm Credit Administration "for the purpose of making loans to farmers during the year 1936, under limitation (b) in Sec. 1 of the said act, in the United States, Hawaii, and Puerto Rico, for fallowing, for the production of crops, for planting, cultivating, and harvesting crops, for supplies incident to and necessary for such production..., and for feed for livestock, or for any of such purposes, under such terms and conditions as the Governor of the Farm Credit Administration...may prescribe."

Amount to any one borrower is limited to $200, applicant must establish that he is unable to procure such loans from any other source, and preference shall be given to applications of farmers whose cash requirements are small. Loans hereunder shall be secured by a first lien, or an agreement to give a first lien, upon the crops of which the production, planting, etc., is to be financed with the proceeds of such loan, or, in case of loans for purchase or production of feed for livestock, a first lien upon livestock to be fed. "Such loans shall be made and collected under such regulations as the Governor shall prescribe, and shall bear interest at the rate of 5 1/2 per centum per annum." Provides for payment of fees for recording, filing, registration, etc., in connection with loans, etc.

Puerto Rico

29. Abolishing Puerto Rican Hurricane Relief Commission. Public Resolution No. 22 (S.J.Res. 88) Approved June 3, 1935.

Abolishes the Puerto Rican Hurricane Commission (created by joint resolution approved December 21, 1928) and transfers its functions to Interior Department, together with employees, records, property, etc., and unexpended balances of appropriations; provides that personnel now temporarily assigned to Commission from War and Agriculture Departments shall, without in any way affecting their permanent status in such Departments, continue to serve in their present capacity, but under supervision of Secretary of Interior, not later than June 30, 1935, except by special agreement between the Secretary of the Interior and the heads of the other Departments concerned.

30. Appropriation for Puerto Rican Hurricane Relief Commission.

Independent Offices Appropriation Act, fiscal year 1936 (Public No. 2) makes available for administrative expenses, not to exceed $25,000 of any unobligated balances of appropriations made by authority of the joint resolutions approved December 21, 1928 (45 Stat. 1067), and January 22, 1930 (46 Stat. 57). (p. 10)

31. Amending the "Joint Resolution For the Relief of Porto Rico", Approved December 21, 1928. Public Resolution No. 59 (H.J. Res. 129). Approved August 27, 1935.

Adds a new section (7) permitting the United States to "be named a party in any suit which is now pending or which may hereafter be brought in any of the insular courts of the island of Puerto Rico by the Federal Land Bank of Baltimore or the Federal Farm Mortgage Corporation for the foreclosure of any mortgage or other lien upon real estate for the purpose of securing an adjudication touching any junior mortgage or other junior lien the United States may have or claim by virtue of loans made pursuant to the provisions of this joint resolution." Certain conditions are herein prescribed for the bringing of suits, judicial sales, costs, etc.

Authorizes the Hurricane Relief Commission to "waive any priorities it may have or claim over liens in favor of the Federal Land Bank of Baltimore, such priorities arising out of reamortization agreements entered into between the Federal Land Bank of Baltimore and its borrowers who are also indebted to the Commission."

The Federal Land Bank of Baltimore or the Federal Farm Mortgage Corporation, if it acquires or deems it necessary to acquire by foreclosure proceedings any real or personal property in Puerto Rico by virtue of a lien upon said property or a junior lien in favor of the U. S., may make written request to the Puerto Rican Hurricane Relief Commission to have the same extinguished. If the proceeds from the sale of the property would be insufficient to satisfy in whole or in part, the lien of the U. S., or the claim of the U. S. has been satisfied, or by lapse of time or otherwise has become unenforceable, the Comptroller General may authorize the Commission to issue a certificate of release. Any amount realized by the Federal Land Bank of Baltimore or the Federal Farm Mortgage Corporation in the ultimate sale or disposition of this property, or property acquired by judicial proceedings, over and above its investment, but not to exceed the amount of the Commission's lien, shall be paid by said bank or said Corporation to the Puerto Rican Hurricane Relief Commission.

32. Amending the "Joint Resolution for the Relief of Porto Rico", approved December 21, 1928, As Amended. Public Resolution No. 60 (H.J. Res. 257) Approved August 27, 1935.

Authorizes the Puerto Rican Hurricane Relief Commission or its successor, (in carrying out the provisions of the "Joint resolution for the relief of Porto Rico", approved December 21, 1928, as amended by the Second Deficiency Act, fiscal year 1929, approved March 4, 1929) when consistent with the best interests of the U. S., (in the name of, or for and on behalf of the U. S.) to do the following: make compositions and adjustments in loans made by it upon the security of land or other property, real or personal, in the island of Puerto Rico, either by reduction in interest rate or in the indebtedness or by extension or other adjustment of the time for any payments of principal or interest or other indebtedness, or otherwise acquire title, either by voluntary conveyance as a result of a composition or an agreement with a debtor or in satisfaction of judgments or decrees of foreclosure of mortgages or at sales under such judgments or decrees, to parcels of land or other property, real or personal, and also to take possession, occupy, hold, administer, and to lease, sell, or otherwise dispose of any such property acquired by it; execute deeds or other instruments in the exercise of these powers; and subordinate the lien securing any loan or loans hereafter made by the Federal Land Bank of Baltimore, or by the Land Bank Commissioner on behalf of the Federal Farm Mortgage Corporation. Makes it unlawful, and provides a penalty of not exceeding $1,000, or imprisonment not exceeding 6 months, or both, for any person to charge a fee for purpose of preparing or assisting in preparation of any papers of an applicant for composition or adjustment of a loan under this Act.

Reclamation and Irrigation

33. Reclamation Projects Act of 1935. Public No. 128 (S. 1305) Approved June 13, 1935.

Extends the provisions of the Act of April 1, 1932 as extended by the Act of March 27, 1934 (Public No. 132, 73d Congress), thus deferring payment of certain water-right charges for the year 1935 by water users on United States reclamation projects.

Authorizes the Secretary of the Interior to extend to water users on Indian irrigation projects during the calendar years 1934 and 1935 like relief to that provided in the Acts of January 26, 1933 (47 Stat. 776), and March 3, 1933 (47 Stat. 1427), applicable to the calendar years 1931, 1932, and 1933.

34. Maintenance and Operation on Newly Reclaimed Pueblo Indian Lands in the Rio Grande Valley, New Mexico. Public No. 352 (S. 1832) Approved August 27, 1935.

Authorizes the Secretary of the Interior to enter into an agreement with Middle Rio Grande Conservancy District, a political subdivision of New Mexico, to provide for operation and maintenance on newly reclaimed Pueblo Indian lands, not exceeding 12,600 acres thereof now owned by said Indians, in the Rio Grande Valley, New Mexico, provided said lands have been benefited by improvements constructed under the Act of Congress dated March 13,

1928 (45 Stat. L., 312-313), etc. Authorizes an annual appropriation for 5 years of such amount as is necessary to pay the cost of such operation on said land as may be irrigable during any particular year, provided the per acre cost assessable against these lands shall not exceed the per acre cost of operating and maintaining the district works for the irrigation of the total irrigable area within the district. Any sums appropriated pursuant hereto shall be reimbursable to the United States. The district shall be required to deliver water without discrimination on that part of said lands on which the per acre charge of assessment has been paid. The provisions of the contract heretofore executed pursuant to the Act of March 13, 1928, requiring the district to recognize the prior and paramount water rights for the approximately 8,346 acres of now irrigated Indian lands and of their exemption from payment of operation, maintenance, or betterment costs, shall be carried into and made a part of the agreement to be executed pursuant hereto.

35. Loans on Lands in Drainage, Irrigation, and Conservancy Districts. Public No. 644 (H.R. 9009) Approved June 4, 1936.

Authorizes the Federal land banks and other Federal agencies making loans on farm lands to make loans on lands in any drainage, irrigation, or conservancy district, notwithstanding prior liens, etc., arising from assessments for special benefits made by such districts, where (1) land is otherwise eligible for loan; (2) assessment is payable over a period of years; (3) reasonable security exists for repayment of the loan.

36. Further Relief to Water Users in United States. Public No. 519 (S. 4232) Approved April 14, 1936.

Creates a commission of 3 members to be appointed by the Secretary of the Interior, (2 from his Department, and one water user on a Federal reclamation project) to investigate the financial and economic condition of various Federal reclamation projects with reference to the ability of each to make payments of water-right charges and to report to Congress, at the beginning of the 75th Congress, with recommendations as to the "best, most feasible, and practicable comprehensive permanent plan for such water-right payments." Authorizes an appropriation of $5,000 to be expended at direction of Secretary of Interior.

Extends provisions of the Reclamation Projects Act of 1935 (Public No. 128, Item 33) during the year 1936, so far as concerns 50 percent of the construction charges, and where this charge is payable in 2 installments, the sum so extended shall be the "amount due as the first of such installments." If payable in one installment, the due date for the 50 percent to be paid shall not be changed.

37. Investigation and Adjustment of Irrigation Charges on Irrigation Lands within Projects on Indian Reservations. Public No. 742 (S. 1318) Approved June 22, 1936.

Authorizes and directs the Secretary of the Interior to cause an investigation to be made to determine whether owners of non-Indian lands under Indian irrigation projects and under projects where U. S. has purchased water rights for Indians are unable to

pay irrigation charges, including construction, maintenance, and operating charges, because of inability to operate such lands profitably by reason of lack of fertility of the soil, inadequacy of water supply, defects of irrigation works, or for any other causes. The Secretary may adjust, defer, or cancel such charges, in whole or in part, as the facts and conditions warrant, and may enter into contracts for payment of past due charges extending payments over a period of not in excess of 10 years.

Where the Secretary finds any such lands cannot be cultivated profitably due to present lack of water supply, proper drainage facilities, or need of additional construction work, he shall declare such lands temporarily nonirrigable for periods not to exceed 5 years and no charges shall be assessed during such periods, and may eliminate such lands as are permanently nonirrigable from the project, with the consent of the landowner.

Where irrigation assessments against such lands were unpaid at time Indian title to such lands became extinguished and no lien existed and attached to such lands for payment of charges so assessed and no contract for payment of such charges was entered into, the Secretary shall cancel all such charges. The Secretary shall have power to make rules and regulations and shall report to Congress on action taken.

Agricultural Extension and Experiment Station Work

38. Extending Benefits of Adams Act, Purnell Act, and Capper-Ketcham Act to the Territory of Alaska. Public No. 725 (S. 5784) Approved June 20, 1936.

Extends the Adams Act of March 16, 1906, the Purnell Act of Feb. 24, 1925, and the Capper-Ketcham Act of May 22, 1928 to the Territory of Alaska.

Authorizes an appropriation of $5,000 for the fiscal year 1937, increasing to $37,500 for the fiscal year 1947, and "thereafter a sum equal to one-half of that provided for each State and Territory" for the purposes of the Adams and Purnell Acts.

Authorizes an appropriation of $2,500 for the fiscal year 1937, increasing to $7,500 for the fiscal year 1940, and annually thereafter, $10,000, for the purposes of the Capper-Ketcham Act, etc.

Agricultural Machinery

39. To Investigate Corporations Engaged in the Manufacture, Sale, or Distribution of Agricultural Implements and Machinery. Public Resolution No. 130 (S.J.Res. 277) Approved June 24, 1936.

House hearings held on H.J. Res. 212 (58 Un33)

Directs the Federal Trade Commission under authority of the Federal Trade Commission Act of Sept. 26, 1914, as amended, to investigate and report to Congress the facts relating to-

Whether any corporation engaged in the manufacture, sale, or distribution of agricultural implements and machinery is, or within the past 3 years has been, violating any of the antitrust laws of the U. S., and the nature, extent, and effects of such violation; whether and to what extent costs and profits of such corporatiens have been affected, enhanced, or maintained by unlawful combinations,

agreements, or understandings, or any other violations of the antitrust laws, and have been misstated or misrepresented to conceal or promote such violations; and whether and to what extent methods of price fixing, maintenance and discrimination exist in violation of the antitrust laws in connection therewith. Also the existence and effect of any contract, agreement, combination, or conspiracy in unlawful restraint of trade and the existence of any unfair methods of trade or competition in connection with and any developments and tendencies in the direction of monopoly and concentration of ownership or control of the means of the manufacture, sale, or distribution of agricultural implements and machinery. And with regard to agricultural implements and machinery: Whether and to what extent the present prices are due to any violations of the antitrust laws; the extent of concentration of control of manufacture and distribution in the hands of particular manufacturers and the basis thereof; costs, prices, and profits of manufacturers and distributors; distribution methods and dealer price spreads of margins entering into prices paid by farmers; facts regarding the relative price movements of and "some of the machinery and implements and somewhat comparable material and labor;" and any other pertinent facts regarding present prices and the cause thereof; and facts regarding the relative price movements of farm machinery and farm products since 1914. And finally what measures, legislative or otherwise, in its opinion are needed to correct conditions in the farm-implement industry adversely affecting the interests of farmers.

Antitrust

40. Prohibition of Price Discrimination. (Robinson-Patman) Public No. 692 (H.R. 8442) Approved June 19, 1936.

Amends Sec. 2 of the Clayton Antitrust Act, approved Oct. 15, 1914.

Makes it unlawful for any person engaged in commerce to discriminate in price between buyers of commodities of like grade and quality where the effect is to create a monopoly or to lessen, "injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit" thereof, or with customers of either. Differentials which make only due allowance for differences in cost of manufacture, sale, or delivery resulting from differing methods or quantities in which sold or delivered shall not be prevented. Federal Trade Commission may fix, establish, and revise quantity limits, after due hearing, where such quantity buying tends to create a monopoly due to small number of available purchasers. Act does not prevent price changes from time to time in response to perishable goods, seasonal goods, etc.

Upon proof being made that there has been discrimination in price the burden of rebutting the evidence shall be upon the person charged with the violation, and Commission is authorized to issue an order terminating such discrimination, unless justification shall be affirmatively shown.

Makes it unlawful for any person engaged in commerce to: pay to (or receive from) the other party to a transaction or his agent,

commissions, brokerage, etc., except for actual services rendered; discriminate in favor of one purchaser against another by payment of compensation, or in case of a commodity bought for resale by furnishing services or facilities, connected with processing, handling, and/or sale of such unless allowed all other purchasers on proportionately even terms; and knowingly induce or receive a discrimination in price prohibited by this section.

Sec. 2. This Act shall in no way affect litigation, pending before the courts or orders of the Federal Trade Commission set in motion from the Antitrust Act previous to this Act. If the Federal Trade Commission believes any person is guilty of violating this Act, it may reopen the original proceedings and restate the charges, etc.

Sec. 3. Makes it unlawful for any person engaged in commerce to knowingly grant a discount, rebate, allowance, or advertising service charge over and above any such similar charge available at the time of such transaction to said competitors in respect to a sale of goods of like grade, quality, and quantity; to sell or contract to sell goods in any part of the United States at prices lower than those exacted by him elsewhere in the United States, or at unreasonably low prices, for purpose of destroying competition or eliminating a competitor.

Sets maximum penalty for violation of Act at $5,000 fine or imprisonment for 1 year, or both.

Sec. 4. "Nothing in this Act shall prevent a cooperative association from returning to its members, producers, or consumers the whole, or any part of, the net earnings or surplus resulting from its trading operations in proportion to their purchases or sales from, to or through the association."

41. H. Res. 203 (Agreed to April 24, 1935): (Cochran) [Creating a special committee of seven to investigate the American Retail Federation, its membership, objectives, financial connections and officers and agents and sources of its funds, and the record of stock dividends, officers' salaries, profits, interlocking directorates, and banking affiliations of all corporations directly affiliated with, or contributing to, the Federation.]

The special committee appointed under the resolution consisted of: Messrs. Patman, Bloom, Dockweiler, Lucas, McLean, Cole and Boileau.

H. Res. 239 (Agreed to June 4, 1935): (Patman) [Amending H. Res. 203 to include following authority and direction: to investigate the trade practices of individuals, partnerships, and corporations engaged in big-scale buying and selling of articles at wholesale or retail and their associations.]

Expenses provided by H. Res. 226 and H. Res. 284.

Report pursuant to H. Res. 203 printed as H. Rept. 2373: On That Part of House Resolution 203 Relating to the Organization and Lobbying Activities of the American Retail Federation. April 7, 1936.

House hearings held on H. Res. 203 (286.2:Un3)

Report pursuant to H. Res. 239 printed as H. Rept. 2679: May 19, 1936.

Appropriations*

42. Department of Agriculture and Farm Credit Administration Appropriation Act, fiscal year 1936. Public No. 62 (H.R. 6718) Approved May 17, 1935.

House hearings held on bill.

Senate hearings held on bill.

Carries a total of $121,157,983 for the Department of Agriculture for the fiscal year ending June 30, 1936 (including $58,141,856 for Federal-aid, forest, and public-land highways) The total for the Bureau of Agricultural Economics is $5,724,801.

Authorizes the expenditure of $10,000 from funds made available for carrying the Agricultural Adjustment Act into effect, the share of the United States as a member of the International Wheat Advisory Committee or like bodies.

Title II carries a total of $4,000,000 for the Farm Credit Administration.

43. Department of Agriculture and Farm Credit Administration Appropriation Act, fiscal year 1937. Public No. 637 (H.R. 11418) Approved June 4, 1936.

House hearings held on bill.

Senate hearings held on bill.

Carries a total of $169,565,606 for the Department of Agriculture for the fiscal year ending June 30, 1937, which is exclusive of $7,949,596 under permanent and indefinite appropriations, but includes $68,000,000 for Federal-aid highways and forest roads and trails. The total for the Bureau of Agricultural Economics is $5,992,896 and for the Soil Conservation Service it is $24,869,265.

Authorizes the expenditure of $10,000 from funds available to the Agricultural Adjustment Administration for the share of the United States as a member of the International Wheat Advisory Committee or like bodies.

Appropriates $39,900 to enable the Secretary of Agriculture, in cooperation with the authorities of the States concerned, or with individuals, to make such investigations and demonstrations as may be necessary in connection with the development of livestock production in the cane-sugar and cotton districts of the United States.

Appropriates $281,362 to "enable the Secretary of Agriculture to make investigation not otherwise provided for of the causes of soil erosion and the possibility of increasing the absorption of rainfall by the soil in the United States, and to devise means to be employed in the preservation of soil, the prevention or control of destructive erosion, and the conservation of rainfall by terracing or other means, independently or in cooperation with other branches of the Government, State agencies, counties, farm organizations, associations of business men, or individuals."

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* The regular appropriation acts of the Departments of Interior, Treasury, Post Office, Navy, War, State, Justice, Commerce and Labor, the Legislative establishment, and the District of Columbia, fiscal years 1936 and 1937 have been omitted. See Budget and Finance Circulars No. 14 and No. 26 for an analysis of these Acts.

Only a partial contents is given for the appropriation acts listed. The Index should be consulted in connection with these acts.

Title II carries a total of $4,000,000 for the Farm Credit Administration, provided, "That there shall be transferred and added to this appropriation the sum of $400,000 from the funds made available under Sec. 5 of the Emergency Crop Loan Act of February 23, 1934" (Public No. 97, 73d Congress) the sum of $1,100,000 from the funds made available under the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934 (Public No. 412, 73d Congress), and the sum of $1,450,000 from the funds made available under Sec. 5 (a) of the Emergency Crop Loan Act of February 20, 1935 (Public no. 11; Public No. 21)

44. First Deficiency Appropriation Act, fiscal year 1935. Public No. 21 (H.R. 6644) Approved March 21, 1935.

House hearing held on bill.

Provides an additional amount of $2,348,000 to Forest Service for fighting forest fires, and $15,000 to Bureau of Biological Survey for control of predatory animals and injurious rodents.

Appropriates $6,699.30 for damage claims, Department of Agriculture and $4 for audit claims, Bureau of Agricultural Economics.

See also Agricultural Credit.

45. Second Deficiency Appropriation Act, fiscal years 1935 and 1936. Public No. 260 (H.R. 8554) Approved August 12, 1935.

House hearings held on bill.

Senate hearings held on bill.

Contirues available during the fiscal year 1936 $25,000 of the unexpended balance of the sum of $2,354,893 appropriated by the Agricultural Appropriation Act of 1935 for grasshopper control, to provide for a cooperative grasshopper survey, and appropriates $36,000 to the Bureau of Entomology and Plant Quarantine for the eradication and control of the West Indian fruit fly and black fly, in the fiscal year 1936. (p. 12)

Appropriates $25,000 additional, fiscal year 1936, to the Bureau of Biological Survey for "Maintenance of mammal and bird reservations." (p. 12)

Appropriates $10,000 additional, fiscal year 1936, to the Bureau of Agricultural Economics for "Enforcement of United States Cotton Futures and United States Cotton Standards Acts." (pp.12-13)

Appropriates so much as may be necessary of the unexpended balance of the appropriation contained in the 1934 Independent Offices Appropriation Act for the International Institute of Agriculture at Rome, Italy, to enable the Department of Agriculture to pay for publications received from the Institute during 1931-1934. (p. 23)

Appropriates $36,000,000 for payments to Federal land banks on account of reductions in interest rate on mortgages, and $20,000,000 for subscriptions to paid-in surplus of Federal land banks, in accordance with Sec. 24, as amended, and Sec. 23 of the Emergency Farm Mortgage Act of 1933 (Title II, Public No. 10, 73d Congress), provided that unexpended balances of appropriations made in the Emergency Appropriation Act, approved June 19, 1934 (Public No. 412), 73d Congress) for the purpose of said sections, shall remain available until June 30, 1936. (p. 24)

Consolidates, effective July 1, 1935, into an appropriation account, "Expenses, Emergency Banking, Gold Reserve and Silver

Purchase Acts", to remain available until June 30, 1936, the unobligated balances of appropriations as follows: $2,000,000 contained in the Emergency Banking Act (Public No. 1, 73d Congress) and the $4,500,000 for "Expenses, Emergency Banking, Gold Reserve, and Silver Purchase Acts, 1934 and 1935", contained in the Emergency Appropriation Act, fiscal year 1935 (Public No. 412, 73d Congress). (p. 25)

Appropriates $14,000,000 to the Bureau of Reclamation for the Boulder Canyon project. (p. 30)

Appropriates $2,000,000, "within a total limit of cost not to exceed $5,500,000," for the construction of a building for the Engraving and Printing including "rental of temporary quarters during construction, demolition of the Economics Building located on the proposed site and, if necessary, the replacement thereof on Government-owned land." (p.33)

Provides $7,547.91 to pay claims for damages to or losses of privately owned property adjusted and determined by the Department of Agriculture. (p. 34)

46. First Deficiency Appropriation Act, fiscal years 1936 and 1937. Public No. 739 (H.R. 12624) Approved June 22, 1936.

House hearings held on bill.

Senate hearings held on bill.

Appropriates an additional $100,000 for national forest administration, Forest Service. (p. 23)

Makes available $15,000 of the funds appropriated by Sec. 12 (a) of the Agricultural Adjustment Act, as amended, to remain available until June 30, 1937, to the Bureau of Chemistry and Soils, Department of Agriculture, for the completion of a soil survey of the Hawaiian Islands. (p. 24)

Increases from $5,000 to $7,500 the amount that may be expended for the purchase, etc. of motor vehicles from the appropriation for the Division of Grazing Control, Department of Interior (p.26)

Appropriates an additional $66,010.25 for payments to certain counties in Oregon in lieu of taxes on Oregon and California grant lands (receipt limitation). (p. 26)

Appropriates an additional $1,291.39 for payments to States of 5 percent of proceeds from sales of public lands. (p. 26)

Makes one fund of the appropriation of $24,000,000 for subscriptions to paid-surplus of Federal land banks as provided in the Treasury Department Appropriation Act, 1937, and the unexpended balance of the appropriation of $20,000,000 made in the Second Deficiency Appropriation Act, fiscal year 1935 (Public No. 260), and continued available until June 30, 1937.

Makes one fund of the appropriation of $24,000,000 for payments to Federal land banks on account of reductions in interest rate on mortgages as provided in the Treasury Department Appropriation Act, 1937, and the unexpended balance of the appropriation of $36,000,000 made in the Second Deficiency Appropriation Act, fiscal year 1935 (Public No. 260), and continued available until June 30, 1937. This fund "shall also be available to the Secretary of the Treasury to pay each Federal land bank such amount as the Land Bank Commissioner certifies to the Secretary of the Treasury is equal to the amount by which interest payments on mortgages held by such bank have been reduced during the fiscal year beginning

July 1, 1936, in accordance with" paragraph 12 of Sec. 12 of the Federal Farm Loan Act, as amended. (p. 44)

Appropriates $5,178.26 to the Department of Agriculture for property damage claims (p. 51) and the following amounts for audited claims: 43 cents, Bureau of Agricultural Economics, $9,35 for enforcement of the U. S. Grain Standards Act and $25.34 for administration of the U. S. Warehouse Act. (p. 53)

Prohibits the following establishments or agencies from incurring, after June 30, 1937, any obligations for administrative expenses, except pursuant to an annual appropriation specifically therefor, nor shall they continue to function after said date unless established by or pursuant to law: Federal Home Loan Bank Board; Home Owners' Loan Corporation; Federal Housing Administration; Federal Farm Mortgage Corporation; Federal Surplus Commodities Corporation; Export-Import Bank of Washington; Second Export-Import Bank of Washington; Reconstruction Finance Corporation; Electric Home and Farm Authority; Commodity Credit Corporation; Federal Emergency Administration of Public Works; Federal Savings and Loan Insurance Corporation; and Reconstruction Finance Mortgage Company. (p. 57)

After June 30, 1936, advance payments under the provisions of Title VI, Part II, of the Legislative Appropriation Act for the fiscal year 1933 (Public No. 212, 73d Congress) entitled "Interdepartmental Work", shall have no longer period of availability for obligation than the appropriation from which such advance payments are made. (p. 58)

For Title II, Relief and Work Relief See the subject Unemployment Relief. See also Agricultural Adjustment Act and Tobacco relative to items of appropriation made under the Agricultural Adjustment Act. Also consult index.

H. Con. Res. 60, agreed to June 18, 1936, provides for a change in the enrollment of the First Deficiency Appropriation Act.

47. Urgent Supplemental Appropriation Act. Public Resolution No. 3 (H.J.Res. 88) Approved February 13, 1935.

House hearings held on resolution (284 Un38Ur)

Senate hearings held on resolution (283 Un313U)

Provides additional appropriations for the Senate, District of Columbia-Virginia Boundary Commission, Federal Communications Commission, National Mediation Board, and Securities Exchange Commission.

Sec. 2. amends Sec. 3 (b) of Title II of the Economy Act (Public No. 2, 73d Congress), as amended, by providing for continuation of 5 percent reduction in salaries of Government employees through March 31, 1935, and that there shall be no reduction thereafter; provides that this resolution shall not be construed as permitting any reduction in rates of compensation in effect at the time of passage of this resolution; appropriates such amount as may be necessary to pay the restored compensation of Government employees from April 1 to June 30, 1935; and increases the limitations on amounts for personal services in proportion to the increases in appropriations for personal services made hereunder.

$25,000 of the unexpended balance of the appropriation contained herein for the National Railroad Adjustment Board is continued available until June 30, 1936 by the Second Deficiency Appropriation Act, fiscal year 1935 (Public No. 260).

48. Supplemental Appropriation Act, fiscal year 1936. Public No. 440 (H.R. 10464) Approved February 11, 1936.
House hearings held on bill (includes a supplement)
Senate hearings held on bill.
House Hearings held on H.R. 9215 (284 Un38 Su)
This takes the place of H. R. 9215, 74th Congress, 1st session, which passed both Houses but failed final passage.
Makes $12,500 available for payment of expenses in connection with the North American Wildlife Conference, Feb. 3-7, 1936, from the unexpended balance of $6,000,000 provided by title VII of the Game and Wildlife Act of 1935 (Public No. 148)
Appropriates $750,000 for expenses in connection with the Emergency Banking, Gold Reserve and Silver Purchase Acts.
Appropriates $15 to the Bureau of Agricultural Economics for payment of an audited claim.
For Miscellaneous provisions under Department of Agriculture See Agricultural Adjustment Act. Also consult index.

49. Independent Offices Appropriation Act, fiscal year 1936. Public No. 2 (H.R. 3410) Approved February 2, 1935.
House hearings held on bill.
Senate hearings held on bill.
Provides "that employees of the executive departments and other establishments of the executive branch of the Government may be detailed from time to time to the office of the President of the United States for such temporary assistance as may be deemed necessary." (p. 1)
Prohibits details from executive departments in the District of Columbia or elsewhere to the Washington central office or any of the district offices of the Civil Service Commission. (p.3)
Appropriates $40,000,000 for financing the liability of the United States under the Civil Service Retirement Act. (pp.3-4)
Prohibits use of any part of the appropriations of the Veterans' Administration for the purchase of oleomargarine or butter substitutes except for cooking purposes. (p. 15)

50. Independent Offices Appropriation Act, fiscal year 1937. Public No. 479 (H.R. 9863) Approved March 19, 1936.
House hearings held on bill. Also supplemental hearings held by House Committee on Appropriations on Senate amendment no. 7-Adjusted Compensation Payments and Senate amendment no. 9-Soil Conservation and Domestic Allotment Act.
Contains same provisions as the Independent Offices Appropriation Act, fiscal year 1936, outlined above, except that the amount appropriated for the Civil Service Retirement Fund is $46,050,000 (p.4).

51. Submission of Estimates to the Bureau of the Budget of Expenditures for Administrative Expenses in Certain Cases. Executive Order No. 7126, Aug. 5, 1935 orders:
"1. The Federal Home Loan Board, the Home Owners' Loan Corporation, the Federal Savings and Loan System, the Federal Savings and Loan Insurance Corporation, the Federal Housing Administration, the Farm Credit Administration, and the Federal Farm Mortgage

Corporation, which have available for expenditure funds, estimates for expenditures of which are not required under the Budget and Accounting Act of 1921 to be submitted to the Bureau of Budget, at such times and in such manner as he shall prescribe, estimates of amounts to be expended for each fiscal year from such funds for administrative expenses. The aforesaid agencies and instrumentalities are requested not to incur, from and after September 15, 1935, any obligation for administrative expenses out of any such funds unless estimates for such expenditures shall have been approved by the Director of the Bureau of the Budget.

"2. Amounts to be made available for administrative expenses out of any such funds shall be so apportioned by the Director of the Bureau of the Budget by monthly amounts as to prevent expenditures which may necessitate additional funds for administrative expenses. It is requested that all such apportionments shall be adhered to unless waived or modified by the Director of the Bureau of the Budget upon the happening of some extraordinary emergency, or unusual circumstance, which could not be anticipated at the time of making such apportionment."

This is extended by Executive Order No. 7150, Aug. 19, 1935, so as to make the provisions applicable to the following-named additional agencies, the last sentence of Paragraph 1 being applicable to the additional agencies after October 1 instead of September 15, 1935: 1. Federal Deposit Insurance Corporation; 2. Federal Surplus Relief Administration; 3. Export-Import Bank of Washington; 4. Second Export-Import Bank of Washington, D. C.; 5. Reconstruction Finance Corporation; 6. Electric Home and Farm Authority.

Executive Order No. 7174, Sept. 4, 1935, further extends its provisions to the: 1. Agricultural Adjustment Administration; 2. Commodity Credit Corporation; 3. Federal Coordinator of Transportation; 4. Federal Emergency Administration of Public Works; 5. Federal Emergency Relief Administration; 6. National Recovery Administration; 7. Tennessee Valley Authority.

52. Restricting Use of Public Moneys for Expenses of Conventions or Meetings. Public Resolution No. 2 (H.J.Res. 118) Approved February 2, 1935.

Prohibits use of funds appropriated for any purpose, unless specifically provided by law, for purpose of lodging, feeding, conveying, or furnishing transportation to, any convention or other form of assemblage or gathering in the District of Columbia or elsewhere. Does not prohibit payment of expenses in such cases of any officer or employee of the Government in the discharge of his official duties.

Public Resolution No. 32, approved June 17, 1935, provides that nothing contained in Public Resolution No. 2 (above) shall prohibit the Secretary of Agriculture from paying necessary expenses for assemblages of the 4-H Boys and Girls Clubs.

53. H. Doc. 115 and H. Doc. 301. Letters from the Comptroller General of the United States, transmitting report and further report on the survey made of the inactive and permanent appropriations and funds on the books of the Government, and also certain funds in the custody of officers and employees of the United States in which the Government is financially concerned for which no accounting is

rendered to the General Accounting Office, and recommendations for such changes in existing law that would be of public interest. In compliance with Sec. 24 of the Permanent Appropriation Act (Public No. 473, 73d Congress) March 1 and Aug. 22, 1935.

Banking

54. Collateral Security Act (Public No. 115, 73d Congress)

Proclamation of the President No. 2117, Feb. 14, 1935, by authority of the Federal Reserve Act, as amended by the Collateral Security Act of March 6, 1934, extends for 2 years the period within which the Federal Reserve banks may be permitted to offer and Federal Reserve agents to accept, direct obligations of the United States as collateral security for Federal Reserve notes.

55. Deposit Insurance Extension Act. Public Resolution No. 38 (S.J.Res. 152) Approved June 28, 1935.

Amends Sec. 12B of the Federal Reserve Act, as amended, so as to extend until August 31, 1935, the temporary plan for Government insurance of bank deposits up to $5,000.

Provides that the "deposits in banks, which are on June 30, 1935, members of the fund or the fund for mutuals shall continue to be insured during such extended period to August 31, 1935, without liability on the part of such banks to further calls or assessments."

56. Extending From June 16, 1935, to June 16, 1938, The Period Within Which Loans Made Prior to June 16, 1933, to Executive Officers or Member Banks of The Federal Reserve System May Be Renewed or Extended. Public Resolution No. 25 (H.J.Res. 320) Approved June 14, 1935.

Amends subsection (g) of Sec. 22 of the Federal Reserve Act.

57. Banking Act of 1935. Public No. 305 (H.R. 7617) Approved August 23, 1935.

House hearings held on H.R. 5357 (284 Un35Ba)
Senate hearings held on bill (284 Un36B)

Title I. Federal Deposit Insurance

Rewrites Sec. 12B of the Federal Reserve Act, relating to the subject of Federal deposit insurance.

Permits nonmember banks to terminate their insured status within 30 days of effective date of Act by giving written notice to the Federal Deposit Insurance Corporation. Provides that the annual assessment on banks for insurance-fund membership shall be one-twelfth of 1 percent on the average deposit liability of insured banks over a 6 months' period, payments to be made semi-annually. Requires the Secretary of the Treasury to purchase obligations of the Corporation in an additional amount of $250,000,000, etc. Requires all State banks with deposits of $1,000,000 or more during 1936 or subsequent calendar years, to join the Federal Reserve System by July 1, 1942 in order to continue to receive the benefit of insurance.

Title II. Amendments to Federal Reserve Act.

Sec. 201. Amends Sec. 4 of the Federal Reserve Act, as amended, effective March 1, 1936, to provide for the appointment of a president (for a period of 5 years by the board of directors with approval of the Board of Governors of the Federal Reserve System) and vice-presidents for each Federal reserve bank.

Sec. 202. Amends Sec. 9 to authorize the Board of Governors to waive in whole or in part the requirements of this section relating to admission of State banks which are required under Sec. 12B to become members of the Federal Reserve System before July 1, 1942, in order to have deposits insured.

Sec. 203. Changes the name of the Federal Reserve Board to the Board of Governors of the Federal Reserve System, and changes the name of the governor and vice governor to chairman and vice chairman, respectively. Amends Sec. 10 to provide that the Board of Governors shall be composed of 7 members to be appointed by the President for terms of 14 years. Eliminates Secretary of the Treasury and Comptroller of the Currency from membership after Feb. 1, 1936. Requires Board of Governors to keep a complete record of action taken by it and the Federal Open Market Committee upon all questions of policy relating to open-market operations, together with the votes taken and the reasons.

Sec. 205. Amends Sec. 12A to provide for creation of a Federal Open Market Committee, consisting of the members of the Board of Governors of the Federal Reserve System, and 5 representatives of the Federal reserve banks to be selected annually by designated regions. Committee shall make regulations relating to the open-market transactions of the Federal reserve banks, and no such bank shall engage or decline to engage in open-market operations under Sec. 14 except in accordance with such regulations. Retains provision of existing law which states that the time, character, and volume of all purchases and sales of paper described in Sec. 14 as eligible for open-market operations, shall be governed with a view to accommodating commerce and business and with regard to their bearing upon the general credit situation of the country.

Sec. 206. Amends Sec. 14 with respect to rates of discount to be established by the Federal reserve banks by providing that such rates shall be established every 14 days, or oftener if deemed necessary by the Board of Governors of the Federal Reserve System.

Sec. 207. Amends Sec. 19 to authorize the Board of Governors of the Federal Reserve System, in order to prevent injurious credit expansion or contraction, to change by regulation the requirements as to reserves to be maintained against time or demand deposits or both by member banks, upon vote of 4 of its members, but amount shall not be less than the amount of the reserves required by law to be maintained by such bank on the date of enactment of this Act nor more than twice such amount.

Sec. 208. Amends Sec. 24 to permit national banking associations to make real-estate loans secured by first liens upon improved real estate, including improved farm land, business and residential properties, up to 50 percent of the appraised value of the real estate offered as security, for a term of not over 5 years, except that where the loan is secured by an amortized mortgage, the loans may be for an amount equal to 60 percent of the appraised value of

the real estate and for a term of not over 10 years, etc. Also renewals or extensions of loans heretofore made and real-estate loans which are insured under the provisions of Title II of the National Housing Act are exempted. Provides that no bank shall make loans in an aggregate sum in excess of the amount of the capital stock of such bank paid in and unimpaired plus the amount of its unimpaired surplus fund, or in excess of 60 percent of the amount of its time and savings deposits, whichever is the greater.

Title III. Technical Amendments to The Banking Laws.

This title amends the Banking Act of 1933, Federal Reserve Act, Clayton Act, Revised Statutes, Emergency Banking Act, Sec. 61 of the Bankruptcy Act, and the Postal Savings Depository Act, of 1910. A partial contents follows:

Sec. 303 (a) Amends Sec. 21 (a) (1) of the Banking Act of 1933 so as to provide that it shall not prohibit banks, bankers, or financial institutions from engaging in securities activities within the limits expressly permitted in the case of national banks under section 5136 of the Revised Statutes, and shall not prohibit banks from selling obligations evidencing loans on real estate without recourse or obligation to repurchase.

Sec. 307. Amends Sec. 32 of the Banking Act of 1933, effective Jan. 1, 1936, to authorize the Board of Governors to permit interlocking relationships between member banks and securities companies otherwise prohibited by such Sec. 32.

Sec. 308 (a). Amends Sec. 5136 of the Revised Statutes to eliminate existing prohibition against member banks purchasing and holding more than 10 percent of a particular issue. Reduces the total amount of the securities of one issuer or obligor which may be purchased and held by member banks to 10 percent of its capital and surplus.

Sec. 336. Amends Sec. 301 of the Emergency Banking Act of 1933, to provide that no issue of preferred stock by a national bank will be valid until Comptroller of the Currency has issued a certificate of approval.

Sec. 344. Amends the National Housing Act to authorize the Federal Housing Administrator, in carrying out the provisions of titles I, II, and III of such Act, to sue and be sued in any court of competent jurisdiction, State or Federal. Clarifies existing law relative to loans for financing, alterations, repairs, and improvements on real property so that the purchase and installation of equipment and machinery on real property may be included. Clarifies existing law with respect to mortgage insurance in connection with low-cost housing projects and property.

Ralph W. Morrison of Texas, Marriner S. Eccles of Utah, Ronald Ransom of Georgia, John McKee of Ohio, M. S. Szymczak of Illinois, Joseph A. Broderick of New York, and Chester C. Davis of Maryland, members of the Board of Governors of the Federal Reserve System. Marriner S. Eccles designated chairman for a period of 4 years by Executive Order No. 7281, Feb. 3, 1936.

58. Taxation of Shares of Preferred Stock, Capital Notes and Debentures of Banks While Owned by R.F.C. Public No. 482 (S. 3978) Approved March 20, 1936.

Amends Sec. 304 of the Emergency Banking Act (Public No. 1, 73d Congress). Exempts from Federal, State, or local taxation, any preferred stock of national banks, or preferred stock, capital notes or debentures of State banks and trust companies (plus dividends or interest therfrom) so long as owned by the R.F.C. Fixes interest rate on loans by R.F.C. to closed banks at 3 1/2 percent, on condition interest rate charged by such banks shall not exceed 4 1/2 percent.

59. Amending Paragraph (4) of Subsection (n) of Section 12B of the Federal Reserve Act, as Amended. Public Resolution No. 83 (S.J.Res. 230) Approved April 21, 1936.

Extends the time from July 1, 1936 to July 1, 1938 within which national or district banks, or receivers thereof, may contract for sales or loans and pledge any assets of the bank to secure such loans.

Bankruptcy

60. Farm Mortgage Act (Frazier-Lemke) Public No. 384 (S. 3002) Approved August 28, 1935.

Designed to replace the Frazier-Lemke Farm-Mortgage Act (Public No. 486, 73d Congress) declared unconstitutional by the Supreme Court in the case of the Louisville Joint Stock Land Bank, petitioner, vs. William W. Radford, Sr., May 27, 1935 (295 U.S. 555)

This Act amends Sec. 75 of the Bankruptcy Act, of July 1, 1898, as amended, with respect to agricultural compositions and extensions.

Sec. 1 amends subsection (b) by eliminating the requirement that the conciliation commissioner pay expenses out of his compensation fee of $25.

Sec. 2 amends subsection (g) by eliminating requirement that the farmer-debtor deposit in court the money or security necessary to pay all debts which have priority, unless waived, in case of a compensation or extension of time.

Sec. 3 amends subsection (k) by providing that a majority of the secured creditors may agree to accept a composition or extension proposal, provided it does not reduce the amount of, or impair the lien of any secured creditor below the fair market value of the property, or to accept a lower rate of future interest than the contract interest.

Sec. 4 amends subsection (n) by clarifying the intent of Congress, as to who shall be entitled to the benefits of Sec. 75.

Sec. 5 amends subsection (p) so as to place the sole jurisdiction of the bankrupt's estate, and his obligations in the bankruptcy court.

Sec. 6 inserts a new subsection (s) to take the place of the unconstitutional Farm Mortgage Act. Provides that when a farmer fails to obtain a composition or extension, or feels agrieved by such he may amend his petition or answer asking to be adjudged a bankrupt. He may also ask the court that all of his property be appraised, and that his unencumbered exemptions, and unemcumbered

interest or equity therein, as prescribed by State law, be set aside to him and that, under supervision of the court, he be allowed to retain possession of any part or all of the remainder of his property, including his encumbered exemptions, under the terms and conditions set forth in this Section. The referee shall designate appraisers to appraise the property at its then fair market value and proceedings under this Section may be appealed within 4 months from that date.

Authorizes court to stay all proceedings against the debtor or his property for 3 years, during which time the debtor shall be permitted to retain possession of "all or any part of his property, in the custody and under the supervision and control of the court, provided he pays a reasonable rental semiannually for that part of the property of which he retains possession." The rental shall be paid into court to be used, first, for payment of taxes and upkeep, and the remainder to be distributed among the secured and unsecured creditors and applied on their claims. The court may order sold any unexempt perishable property of or any unexempt personal property not reasonably necessary for farming operations and require payments on the principal "not inconsistent with the protection of the rights of creditors and the debtor's ability to pay."

At the end of 3 years, or prior thereto, the debtor may pay into court "the amount of the appraisal of the property of which he retains possession, including the amount of encumbrances on his exemptions, up to the amount of the appraisal, less the amount paid on principal." Upon request of any creditor or the debtor, the court may order a reappraisal, or after a hearing, fix the value of the property, which amount is to be paid into court and distributed among the creditors, or upon request in writing of a secured creditor, may order the property sold at public auction. The debtor has 90 days to redeem from such sale by paying the amount for which the property is sold, with interest at 5 percent, to the court. If the debtor fails to comply with this section or is unable to refinance himself within 3 years, the court may order the disposition of the property.

Provides that the conciliation commissioner shall continue to act as referee when debtor amends his petition or answer, provides for his fee and other costs. Provides that this Act shall apply to partnerships, common, entirety, joint, community ownerships, or to farming corporations where at least 75 percent of the stock is owned by actual farmers.

This Act shall apply to pending and future cases under this Act; and all cases dismissed by the conciliation commissioner, referee, or court because of the Supreme Court's decision holding the former subsection (s) unconstitutional, shall be reinstated, without additional filing fees or charges. A previous discharge of the debtor, under any other section of this Act shall not be grounds for denying him the benefits of this section.

The court may shorten the stay of proceedings herein provided for and proceed to liquidate the estate, if in its judgment the emergency ceases to exist in its locality.

61. Amend the Bankruptcy Act (Housing Corporations). Public No. 289 (S. 3058) Approved August 20, 1935.
Senate hearings held on bill (284 Un3512T)
Amends the corporate section of the Bankruptcy Act of 1898 (Sec. 77B), as amended, to exempt from the operation of this section creditors of so-called "low-cost housing limited-dividend corporations" if such creditors are secured by a mortgage insured under Sec. 207 of title II of the National Housing Act.

62. Amending the Corporate Section of the Bankruptcy Act. Public No. 396 (H.R. 7858) Approved August 29, 1935.
Amends Sec. 77B (e) (1) of the Bankruptcy Act of 1898 as amended, so as to provide that, where the United States is a creditor or stockholder of a corporation seeking reorganization, the interests or claims thereof shall be deemed to be affected by the plan, and the Secretary of the Treasury is authorized to accept or reject the plan. No plan of reorganization can be confirmed by the court unless payment in full of Government claims for taxes or customs duties (whether or not the U. S. has any other interest in, or claim against, the debtor, as creditor or stockholder) is provided for, or unless the Secretary of the Treasury accepts less. Secretary of the Treasury must accept or reject a plan of reorganization within 90 days, or else his consent is conclusively presumed.

63. Amending the Bankruptcy Act of 1898, As Amended. Public No. 507 (H.R. 10490) Approved April 10, 1936.
Amends Sec. 79 of Ch. 9 of the Bankruptcy Act, to provide that courts of bankruptcy shall exercise original jurisdiction in proceedings for the relief of debtors, provided in this chapter, until Jan. 1, 1940, in addition to the jurisdiction exercised in voluntary and involuntary proceedings to adjudge persons bankrupt.

64. Amending the Bankruptcy Act. Public No. 653 (S. 2303) Approved June 5, 1936.
Amends Sec. 63 (a) clause 6 1/2 of the Bankruptcy Act of 1898, as amended, and supplemented, by making provable against a bankrupt's estate claims founded upon negligence where defendant became bankrupt prior to June 7, 1934, and plaintiff's action for negligence was pending in a court, not having been reduced to judgment at the time when the petition in bankruptcy was filed.

65. Amending the Bankruptcy Act. Public No. 818 (S. 3841) Approved June 26, 1936.
Amends Sec. 77 (e) of the Bankruptcy Act of 1898, as amended, relative to railroad reorganizations. Provides that in every case where the United States or an agency thereof, or any corporation (other than R.F.C.) the majority of the stock of which is owned by it, is a creditor or stockholder of a railroad, its interests are deemed to be "affected" by any plan of reorganization, and authroizes the President, or a designated officer, to act in respect of the interests or claims thereof. Also provides that no plan is to be confirmed which does not provide for the payment in full of taxes or customs duties due the United States, unless the President certifies to the court his acceptance of a lesser amount, or fails within 90 days either to accept or reject such payment.

66. Livestock Bankruptcy Act. Public No. 60 (S. 1616) Approved May 15, 1935.

Sec. 3. Amends Sec. 75 (r) of the National Bankruptcy Act of July 1, 1898, as amended and supplemented, so as to further clarify the definition of the word "farmer" for the purposes of this section and of Sections 4 (b) and 74, by changing the definition of the term farmer from "an individual who is personally bona fide engaged primarily in farming operations" to include "not only an individual who is primarily bona fide personally engaged in producing products of the soil, but also any individual who is primarily bona fide personally engaged in dairy farming, the production of poultry or livestock, or the production of poultry products or livestock products in their unmanufactured state."

Sec. 1 and Sec. 2. Amend Sec. 4 (b), exempting farmers from being adjudged involuntary bankrupts, and Sec. 74 (1) protecting farmers from involuntary proceedings under said section, respectively, by striking out the phrase "person engaged chiefly in farming or the tillage of the soil" wherever it appears and inserting the work "farmer."

67. Amending the Bankruptcy Act. Public No. 515 (H.R. 6982) Approved April 11, 1936.

Amends subparagraphs (a) and (d) of Sec. 80, Municipal Debt Readjustments, of the Bankruptcy Act of 1898, as amended and supplemented, by providing that 30 percent of the creditors of drainage, irrigation, reclamation, and levee districts shall not be required to accept in writing the proposed plan of readjustment in any case where a loan shall have been authorized to the petitioning taxing district by an agency of the United States Government for the purpose of enabling any such petitioning district to reduce and refinance its outstanding indebtedness. Also provides that the plan shall not be confirmed until it has been accepted by 51 percent in amount of the claims of each class in the case of such districts.

68. Municipal Bankruptcy Act (Public No. 251, 73d Congress) Approved May 24, 1934.

Held unconstitutional by the Supreme Court, May 25, 1936, in the case of C. L. Ashton v. Cameron County Water Improvement District.

This Act amended Sec. 80 of the Bankruptcy Act of 1898, as amended.

69. Railroad Reorganization Act. Public No. 381 (H.R. 8587) Approved August 27, 1935.

Designed to correct shortcomings in Sec. 77 of the Bankruptcy Act, entitled "Reorganization of Railroads Engaged in Interstate Commerce", enacted by the 72d Congress (Act of Mar. 3, 1933, 47 Stat. 1477)

Executive Order No. 7263, Jan. 4, 1936, by authority of the Bankruptcy Act, as amended by Public No. 381, designates and authorizes the "Secretary of the Treasury to act in respect of the interest or claims, within the purview of the provisions of the said act as amended, of the United States, or any agency

thereof, or any corporation (other than the Reconstruction Finance Corporation) the majority of the stock of which is owned by the United States."

70. S.Res. 170 (Agreed to July 25, 1935): (McAdoo) [That the Special Committee to Investigate the Administration of Receivership and Bankruptcy Proceedings in United States Courts, created under S. Res. 78, 73d Congress, and continued by S. Res. 72, 74th Congress, shall have authority to make a full and complete investigation of the administration of justice in the courts of the U. S.]

Preliminary report pursuant to these Senate resolutions printed as S. Rept. 2125. May 29, 1936.

Senate hearings pursuant to the resolutions (284 Un363)

Business Advisory Council

71. S. Res. 132 (Agreed to May 10, 1935): (Steiwer) [Requesting the President to transmit to the Senate, if not incompatible with the public interest, the complete report recently filed with him by the Business Advisory Council appointed by the Secretary of Commerce.]

Message from the President in response to S. Res. 132, enclosing copies of the reports filed with him by the Business Advisory Council on May 2, 1935, laid before the Senate on May 20, 1935. These reports pertain to the National Industrial Recovery Administration, the social security bill, and grants to States for old-age assistance.

Coal

72. Bituminous Coal Conservation Act of 1935 (Snyder-Guffey) Public No. 402 (H.R. 9100) Approved August 30, 1935.

House Hearings held on H.R. 8479.

Senate Hearings held on S. 1417 (401 Un382)

Described as setting up a "little N.R.A." within the soft coal industry. Recognizes and declares that the mining and distribution of bituminous coal are "affected with a national public interest" and that the general welfare of the Nation "requires" that the industry be regulated.

Establishes in the Department of the Interior a National Bituminous Coal Commission of 5 members, and the office of the Consumers' Counsel, to be appointed by the President with Senate consent. The Counsel shall appear before the Commission in the interest of the consuming public, and conduct independent investigation of matters relative to the soft-coal industry.

Imposes an excise tax of 15 percent on the sale price, or in the case of captive coal the fair market value, of bituminous coal at the mine, to be payable monthly to the United States by the producers. Any producer who accepts and complies with the provisions of the Bituminous Coal Code, to be formulated by the Commission, shall receive a drawback of 90 percent of the amount of the tax.

The code shall provide for organization of 23 district boards of coal producers, each board to consist of not less than 3 or more than 17 members; shall permit establishment or maintenance of marketing agencies within any district by a voluntary association of producers within any producing field therein; and shall vest district boards and marketing agencies with power to adopt bylaws and rules of procedure, subject to the approval of the Commission, etc.. District boards, on their own motion or when directed by the Commission, shall establish minimum prices on coal produced in the district, with authority to make classification of coals and price variations as to mines and consuming market areas, and to establish said prices so as to yield a return per net ton for each district equal to the weighted average of the total costs of the tonnage of the minimum price area (table given) in which the district is located, etc.

Outlines 12 unfair trade practices constituting violations of the code, except that it shall not be an unfair trade practice "(1) to sell to or through any bona fide and legitimate farmer's cooperative organization...whether or not such organization grants rebates, discounts, patronage dividends, or other similar benefits to its members, (2) to sell through any intervening agency to any such cooperative organization, or (3) to pay or allow to any such cooperative organization or to any such intervening agency any discount, commission, rebate, or dividend ordinarily paid or allowed, or permitted by the code to be paid or allowed, to other purchasers for purchases in wholesale or middleman quantities."

Employees shall have certain privileges under the code including the right to organize and bargain collectively through representatives of their own choosing free from interference, restraint, or coercion of employers, etc. Creates a Bituminous Coal Labor Board of 3 members, appointed by the President with Senate consent, in the Department of Labor, with certain authority in the matter of adjudication, mediation, and arbitration in labor disputes.

Drastic methods of enforcement for violations of the code are provided, including revocation of producers membership in the code and right to drawback on taxes, and right of one code member to sue another in any district court of the United States, and recover three-fold damages and attorney's fees.

Makes any combination between producers creating a marketing agency unlawful under the Sherman Antitrust Act of July 2, 1890, as amended, unless such agency is approved by the Commission.

Prohibits purchase by the United States or any department or agency thereof, of any coal where producer has not complied with provisions of the code, and requires provision in government contracts prohibiting purchase under such circumstances.

George E. Acret of California, Walter H. Maloney of Missouri, Charles F. Hosford, Jr. of Pennsylvania, C. E. Smith of West Virginia, and Percy Tetlow of Ohio, members, National Bituminous Coal Commission.

Thomas M. Woodward of Pennsylvania, Consumers' Counsel.

John J. O'Leary of Pennsylvania, Lee C. Gunter of Pennsylvania, and John M. Paris, of Indiana, members, Bituminous Coal Labor Board.

Declared unconstitutional May 18, 1936. (Docket No. 636 and 651) Argument of Honorable John Dickinson in behalf of the Government officer defendants, March 12, 1936, in support of the constitutionality of the Act printed as S. Doc. 197, Apr. 21, 1936. Case of Carter v. Carter co., Helvering, et al.

The opinion of the Supreme Court of the United States on the constitutionality of the Act was printed as S. Doc. 225, May 18, 1936. This includes separate and dissenting opinions in the cases of James Walter Carter, petitioner v. Carter Coal Co., George L. Carter, as vice president and a director of said company, et al; Guy T. Helvering et al., petitioners v. James Walter Carter et al; R. C. Tway Coal Co., Kentucky Cardinal Coal Corporation, Harlan-Wallins Coal Corporation, et al., petitioners v. Selden R. Glenn, individually and as collector of internal revenue for the District of Kentucky; R. C. Tway Coal Co., R. C. Tway, president and directors of R. C. Tway Coal Co., et al., petitioners v. C. H. Clark.

Communications

73. Communications Act of 1934 (Public No. 416, 73d Congress)

Sec. 4 (f) is amended by Public No. 423 (S. 1336), approved Jan. 22, 1936, to provide a chief and assistant accountants in the Federal Communications Commission.

Public No. 652 (S. 2243), approved June 5, 1936, repeals Sec. 302 (providing for a division of the U. S. into 5 radio zones) and amends Sec. 307 (b) by substituting a new section establishing as the primary standard to be used by the Federal Communications Commission in considering applications for licenses, renewals, etc. (when there is a demand therefor), "a fair, efficient, and equitable distribution of radio service" among the States and communities.

Executive Order No. 7251, Dec. 19, 1935, (by authority of the Communications Act of 1934, Sec. 305) assigns frequencies to Government radio stations.

Anning S. Prall, Chairman, Federal Communications Commission.

74. Telephone Inquiry Act. Public Resolution No. 8 (S.J.Res. 46) Approved March 15, 1935.

Directs the Federal Communications Commission to investigate and report to Congress on the following matters with respect to the American Telephone & Telegraph Co. and all other companies engaged directly or indirectly in telephone communication in interstate commerce, including all of their subsidiary, affiliated, associated, and holding companies in which any of them have any direct or indirect financial interest or in which any of their officers or directors hold office or any control: (a) the corporate and financial history and the capital structure and relationship of such company, and of its subsidiary, etc., including the determination of whether such structure may enable them to evade State or Federal regulation, or taxation or to conceal, pyramid, or absorb profits, or to do any act contrary to the public interest; (b) extent and character of intercompany service contracts and all transactions between telephone companies and

their subsidiaries, etc. and particularly between the A.T.& T. Co. and the Western Electric Co. and other manufacturers of electrical equipment; (c) reasons for failure generally to reduce telephone rates and charges during years of declining prices; (d) effect of monopolistic control upon reasonableness of rates; (e) effect of mergers, consolidations, and acquisitions of control by telephone companies, including "write-ups" in purchase prices; (f) accounting methods of the companies; (g) methods of competition with other companies or industries; and (h) whether the companies have sought through propaganda or money expenditure or control of channels of publicity to control public opinion, etc.

Makes $750,000 available for the inquiry. An additional $400,000 is provided by the First Deficiency Appropriation Act, fiscal year 1936 (Public No. 739).

Conservation of Wild Life

75. Game and Wildlife Act of 1935. Public No. 148 (H.R. 7982). Approved June 13, 1935.

Title I.

Amends the Migratory Bird Hunting Stamp Act of 1934 (Public No. 124, 73d Congress) by simplifying and liberalizing the issuance of stamps by the Post Office Department. Provides that applicant shall place his signature in ink across the face of the migratory bird hunting stamps before taking any migratory waterfowl in lieu of requiring the stamps to be affixed to the State game license.

Title II.

Amends the Lacey Act of 1900, which prohibits shipment in interstate commerce of game and other wildlife killed in violation of State laws, by extending its application to present-day vehicles and methods of transportation, particularly the automobile and airplane, and extends the Lacey Act to foreign as well as interstate commerce. Provides penalties for violations, and gives officers of the Department of Agriculture charged with the supervision of the subject matter of this Act, and customs officers, authority to make arrests for offences committed in their presence, to serve warrants issued by authorized courts, and to seize shipments moving in commerce in violation of this Act.

Title III.

Amends Sec. 6 of the Migratory Bird Conservation Act, approved Feb. 18, 1929, so that in conveyances of areas for wildlife refuges to the Secretary of Agriculture, the rights-of-way, easements, and reservations retained by the grantor or lessor shall not be subject to regulations made from time to time, but to those regulations stated in the conveyance at the time of its execution, subject only to the rules and regulations of the Secretary governing the general administration of the area as a migratory bird refuge.

Authorizes the Secretary when he finds among the lands which he has acquired for migratory bird refuges, areas which are better adapted to agriculture or some other use than to conservation of wildlife to exchange such lands for other lands in the same area

as may be more suitable for wildlife, and also to utilize the natural resources of the refuges, such as timber, hay, and forage, in exchange for useful lands for refuge purposes.

Authorizes the Secretary of the Interior upon the recommendation of the Secretary of Agriculture to effect exchanges of unappropriated and unreserved nonmineral lands for privately owned lands in the same State, suitable for migratory bird refuges.

Provides that all the provisions of Sec. 6 of the aforesaid Migratory Bird Conservation Act, as hereby amended, relating to rights-of-way, easements, and reservations, shall apply equally to exchanges effected under the provisions of this Act, and in any such exchanges, the value of such rights-of-way, easements, and reservations shall be considered in determining the value of the lands received by the United States to that of the land conveyed by the United States.

Title IV.

Authorizes payment of 25 percent of any revenue derived from wildlife refuges administered by the Department of Agriculture, at the end of each fiscal year, to the county or counties in which such refuge is situated, for public schools and roads, provided that the disposition or sale of surplus animals, and products, and the grant or privileges shall be upon such terms and conditions as the Secretary of Agriculture shall determine to be for the best interests of the Government or for the advancement of knowledge and the dissemination of information regarding the conservation of wildlife, and that all necessary expenses incurred in connection therewith shall be deducted from the gross receipts before the distribution of the 25 percent to the States.

Title V.

Authorizes the President to allocate out of moneys appropriated to him under the terms of the Emergency Relief Appropriation Act (Public Resolution No. 11) such sum as he may deem necessary or advisable for the acquisition by purchase, or otherwise, of areas of land and water or land or water for game bird and animal refuges and for migratory bird sanctuaries and refuges.

Title VI.

Abolishes, effective July 1, 1935, the Wind Cave National Game Preserve, and transfers the property comprising the same to the Wind Cave National Park to be administered hereafter by the Secretary of the Interior as a part of said park but for the purposes expressed in the Act of August 10, 1912 (37 Stat. 268-293), establishing said game preserve.

Title VII.

Makes available until expended $6,000,000 of the unexpended balance of the sum of $3,300,000,000 appropriated by the Fourth Deficiency Act of 1933 (Public No. 77, 73d Congress), to enable the Secretary of Agriculture to acquire lands to provide for the restoration, rehabilitation, and protection of migratory waterfowl and other wildlife and to erect dikes, dams, canals, and other works as may be necessary.

Executive Order No. 7345, Apr. 15, 1936 (by authority of the Emergency Relief Appropriation Act of 1935 and Title V of the above Act) authorizes the Secretary of Agriculture, with funds allocated to him under the said Title V, to acquire real property or any interest therein by purchase, condemnation, or otherwise, as he may deem necessary or advisable for game bird and animal refuges and for migratory bird sanctuaries and refuges.

76. Executive Orders and Proclamations.

In order to effectuate further the purposes of the Migratory Bird Conservation Act, certain described lands, acquired or to be acquired by the United States, are ordered to be set aside for the use of the Department of Agriculture, as refuges and breeding grounds for migratory birds and other wildlife by the following Executive Orders:

No. 6884, Oct. 23, 1934. North Dakota.

No. 6891, Oct. 30, 1934. Revokes in part Executive Order No. 6065, March 3, 1933, Establishing the Boulder Canyon Wild Life Refuge.

No. 6961, Feb. 4, 1935. Enlarges Killcohook Migratory Bird Refuge, New Jersey, established by Executive Order No. 6582, Feb. 3, 1934.

No. 7106, June 19, 1935. Establishes Malheur Migratory Bird Refuge, Oregon (about 64,717 acres)

No. 7116, July 26, 1935. Enlarges Wichita National Preserve, Oklahoma.

No. 7142, Aug. 14, 1935. Establishes Valentine Migratory Waterfowl Refuge, Nebraska (68,910 acres)

No. 7148, Aug. 19, 1935. Establishes Medicine Lake Migratory Waterfowl Refuge, Montana. (about 23,700 acres)

No. 7154-A, Aug. 22, 1935. Establishes Des Lacs Migratory Waterfowl Refuge, North Dakota. (about 24,100 acres)

No. 7156, Aug. 23, 1935. Establishes the Squaw Creek Migratory Waterfowl Refuge, Missouri. (about 6,625 acres)

No. 7160, Aug. 26, 1935. Establishes the Lacreek Migratory Waterfowl Refuge, South Dakota. (about 9,362 acres)

No. 7161, Aug. 27, 1935. Establishes the Upper Souris Migratory Waterfowl Refuge, North Dakota. (about 40,000 acres)

No. 7168, Sept. 4, 1935. Establishes the Arrow-wood Migratory Waterfowl Refuge, North Dakota. (about 16,876 acres)

No. 7169, Sept. 4, 1935. Establishes the Sand Lake Migratory Waterfowl Refuge, South Dakota. (about 23,103 acres)

No. 7170, Sept. 4, 1935. Establishes the Lower Souris Migratory Waterfowl Refuge, North Dakota. (about 40,000 acres)

No. 7171, Sept. 4, 1935. Establishes Lostwood Migratory Waterfowl Refuge, North Dakota. (about 33,045 acres)

No. 7172, Sept. 4, 1935. Enlarges the Red Rock Lakes Migratory Waterfowl Refuge, Montana, established by Executive Order No. 7023, April 22, 1935. (about 37,000 acres)

No. 7173, Sept. 4, 1935. Establishes the White River Migratory Waterfowl Refuge, Arkansas. (about 110,000 acres)

No. 7178, Sept. 6, 1935. Establishes the Hart Mountain Game Refuge.

No. 7183, Sept. 12, 1935. Enlarges Crescent Lake Wildlife Refuge, Nebraska. (1,847 acres)

No. 7185, Sept. 20, 1935. Enlarges the Upper Mississippi River Wildlife and Fish Refuge, Wisconsin.

No. 7212, Oct. 24, 1935. Enlarges the Upper Mississippi River Wildlife and Fish Refuge, Minnesota and Wisconsin.

No. 7214, Oct. 24, 1935. Establishes the Muleshoe Migratory Waterfowl Refuge. (about 3,654 acres)

No. 7221, Oct. 31, 1935. Establishes the Rice Lake Migratory Waterfowl Refuge, Minnesota. (about 7,790 acres)

No. 7222, Nov. 1, 1935. Enlarges the St. Marks Migratory Bird Refuge, Florida, established by Executive Order No. 5740, Oct. 31, 1931. (about 10,108 acres)

No. 7229, Nov. 19, 1935. Establishes the Delta Migratory Waterfowl Refuge, Louisiana. (about 8,000 acres)

No. 7245, Dec. 10, 1935. Establishes Waubay Migratory Waterfowl Refuge, South Dakota. (about 2,200 acres)

No. 7246, Dec. 10, 1935. Establishes Seney Migratory Waterfowl Refuge, Michigan. (about 24,630 acres)

No. 7292, Feb. 14, 1936. Establishes Lake Andes Migratory Waterfowl Refuge, South Dakota. (about 365 acres)

No. 7295, Feb. 14, 1936. Establishes Lake Bowdoin Migratory Waterfowl Refuge, Montana.

No. 7301, Feb. 21, 1936. Enlarges the Niobrara Reservation, Nebraska. (about 3,880 acres)

No. 7316, March 13, 1936. Enlarges Cape Romain Migratory Bird Refuge, South Carolina.

Also the following Proclamations of the President relate to game refuges:

No. 2105, Oct. 22, 1934. Modifies boundaries of Cherokee National Game Refuge No. 1, Tennessee, established by proclamation of August 5, 1924.

No. 2119, March 8, 1935. Proclaims described and designated areas within the Ouachita National Forest, Arkansas, as game sanctuaries and refuges (by authority of Act of June 13, 1933)

No. 2128, July 6, 1935. Proclaims a certain described area within the George Washington National Forest, Virginia, be set aside as the Big Levels Game Refuge (by authority of Act of Aug. 11, 1916)

The following Proclamations of the President, by authority of the Migratory Bird Treaty Act (40 Stat. 755) approve amendatory regulations of the Secretary of Agriculture on migratory game birds: No. 2116, Feb. 2, 1935 (amends regulation 3 set forth in Proclamation No. 2094, Aug. 20, 1934); No. 2129, July 18, 1935; No. 2130, July 30, 1935; No. 2133, Aug. 27, 1935; and No. 2139, Sept. 26, 1935.

77. Quetico-Superior Committee.

Appointed by Executive Order No. 6783, June 30, 1934, to consult and advise with the various Federal departments and agencies concerned and with the State of Minnesota, and to make such recommendation from time to time as it deems proper relative to the program formulated by the Quetico-Superior Council, Associated with the Izaak Walton League of America for the establishment of a wilderness sanctuary in the Rainy Lake and Pigeon River

watersheds through which runs the international boundary line between Canada and the United States.

The committee shall be composed of E. C. Oberholtzer, S. T. Tyng, C. S. Kelly and one person each to be designated by the Secretaries of Agriculture and Interior to serve for a period of 4 years.

Executive Order No. 7207, Oct. 14, 1935, amends Executive Order No. 6783, by authorizing allotments in such amounts as may be determined by the President, to be made to the Committee from funds appropriated in the Fourth Deficiency Act of 1933 (Public No. 77, 73d Congress) and the Emergency Appropriation Act, fiscal year 1935 (Public No. 412, 73d Congress) Declares powers and duties of the Committee to be within the scope of the National Industrial Recovery Act and the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11)

78. To Amend the Migratory Bird Treaty Act of July 3, 1918. Public No. 728 (S. 4584) Approved June 20, 1936.

Extends and adapts provisions of the Migratory Bird Treaty Act to the convention between the United States and the United Mexican States for the protection of migratory birds and game mammals concluded at the city of Mexico February 7, 1936. Amends it as of the day on which the President proclaims the exchange of ratifications of said convention or on day of enactment of this Act, whichever date is later.

79. H.Res. 237 (Agreed to Jan. 29, 1934, 73d Congress): (Driver) [Authorizing and directing a special committee of 15 Members of the House to investigate all matters pertaining to the replacement and conservation of wild animal life, and to report to the House not later than Jan. 3, 1935 the results of its investigations, together with recommendations.]

Time extended to Jan. 3, 1937 for report to the House by H.Res. 44 (Agreed to Jan. 10, 1935)

Report pursuant to H.Res. 237 printed as H.Rept. 1: Wildlife Conservation. Jan. 4, 1935.

House hearings held pursuant to resolution (412.9 Un363 pt. 1)

80. S.Res. 299 (Agreed to June 6, 1936): [Extending until Feb. 1, 1937 the time for the final report and recommendations of the special committee authorized and directed by S.Res. 246, agreed to April 17, 1930 (71st Congress), to investigate the conservation of wild animal life.]

Contracts, Public

81. Requiring Bonds to Accompany Contracts for Government Building Construction. Public No. 321 (H.R. 8519) Approved August 24, 1935.

Provides that before any contract over $2,000 for construction, alteration, or repair of any public building or public work of the United States is awarded, the contractor must furnish a performance bond for the protection of the United States and a payment bond for the protection of all persons furnishing labor or material, in an amount based on the amount of the contract, as

follows: Contracts of $1,000,000 and under - one-half of the amount of the contract; contracts between $1,000,000 and $5,000,000 - 40 percent of amount of contract; contracts over $5,000,000 - $2,500,000.

Provides for repeal of the Heard Act approved August 13, 1894 (U.S.C., title 40, sec. 270) and that this Act shall take effect in 60 days after its approval but shall not apply to any contract awarded pursuant to any invitation for bids issued on or before the effective date.

82. Amending the Independent Offices Appropriation Act, 1934. Public Resolution No. 66 (S.J.Res. 175) Approved August 29, 1935.

Extends the time from October 31, 1935 (previously extended from April 30, 1935 to October 31, 1935 by Public Resolution No. 13) to March 31, 1936 within which the President may modify or cancel contracts entered into by the United States (prior to June 16, 1933) for transportation of persons and things. Provides that the right of the United States to annul any fraudulent or illegal contract or to institute suit to recover sums paid thereon shall not be affected in any manner.

83. Authorizing Acceptance of Bids for Government Contracts Made Subject to Codes of Fair Competition. Public Resolution No. 65 (S.J.Res. 163) Approved August 29, 1935.

Provides that no bid submitted prior to the enactment of this joint resolution in response to the invitation of any executive department or independent establishment, if otherwise valid and acceptable, shall be rejected because made subject to the provisions of any code or codes of fair competition, or any related requirements (as provided in Executive Order No. 6646 of March 14, 1934), if the bidder, with the assent of his surety, shall agree in writing that the contract, if entered into, shall, in lieu of such code provisions or other related requirements, be subject to all Acts of Congress, enacted after the date of enactment of this joint resolution, requiring the observance of minimum wages, maximum hours, or limitations as to age of employees in the performance of contracts with agencies of the United States. In such cases the compensation provided for in the contract shall be reduced from that stated in the bid by the amount that the contracting officer, subject to the approval of the Comptroller General shall find the cost of performing the contract is reduced solely by reason of the contractor not complying with the provisions of such code or codes or related requirements; and the compensation for the performance of the contract shall be increased from that fixed in the contract by the amount that the contracting officer, subject to the approval of the Comptroller General, shall find the cost of performing the contract has been increased solely by reason of compliance with such subsequent Acts of Congress, if any, relating to the performance with agencies of the United States.

84. Amendment of Davis Bacon Act. Public No. 403 (S.3303) Approved Aug. 30, 1935.

Amends Act of March 3, 1931, relating to rate of wages for laborers and mechanics employed on public buildings to provide that every contract in excess of $2,000 to which U. S. is a

party, for construction, alteration, repair, etc. of public buildings or works shall contain a provision stating minimum wages to be paid for various classes of work (based on prevailing wages in locality where work is to be performed), and requiring contractor to pay at least once a week upon site of work, etc. Act is effective 30 days after enactment. Makes funds available for administrative expenses from funds appropriated by the Emergency Relief Appropriation Act of 1935.

85. Walsh-Healey Government Contracts Act. Public No. 846 (S. 3055) Approved June 30, 1936.

Contracts in excess of $10,000 made by any executive department, independent establishment, or other agency or instrumentality of the U. S., for the manufacture or furnishing of materials, supplies, articles and equipment, shall include stipulations that contractor: Be a manufacturer or regular dealer in the materials for which he is contracting; pay not less than prevailing wages for persons employed in the industry or similar industries operating in the locality; permit no person to work in excess of 8 hours a day or 40 hours a week; employ no male persons under 16 and no female persons under 18 years of age, nor any convict labor; and will not perform any part of the contract in a plant or under working cenditions which are insanitary or unduly hazardous.

Breach or violations shall render contractor liable to U. S. for liquidated damages, in addition to damages for any other breach of such contract, the sum of $10 per day for each person knowingly employed in violation of child-labor and convict-labor provisions, and a sum equal to the difference between amount required to be paid and that actually paid the employee. U. S. shall have right to cancel contract and to make open-market purchases or enter into other contracts for completion of original contract, charging any additional cost to the contractor. Sums due by reason of violations may be withheld from amounts due on contracts and may be recovered in suits. Sums withheld or recovered in connection with wages shall be held in a special account and paid directly to employees, provided claims are made within one year from date contractor is notified of sums withheld or recovered.

Provides that no contracts shall be awarded to firms breaching contracts until elapse of 3 years unless Secretary of Labor otherwise recommends.

Designates Secretary of Labor to administer Act and confers necessary powers in connection with enforcement. Makes provisions for public hearings for fact findings and complaints. The Secretary may make exceptions in specific cases and modify terms of existing contracts when justice or public interest will be served thereby, etc. Act shall not apply to: Purchases usually bought in the open market; or to perishables (including dairy, livestock and nursery products), or to agricultural or farm products processed for first sale by original producers; nor to contracts made by the Secretary of Agriculture for purchase ef agricultural commodities or products thereof; er to carriage of freight or personnel by vessel, bus, truck, etc.

Act shall apply to contracts entered into pursuant to invitations for bids issued on or after 90 days from effective date of Act.

Specifies certain Acts, including the Buy American Act of May 3, 1933, the Davis-Bacon Act, the labor provisions of title II of the National Industrial Recovery Act, or of section 7 of the Emergency Relief Appropriation Act of 1935, which are not modified or amended by the Act.

Cooperative Marketing

86. Authorizing a Capital Fund for the Chippewa Indian Cooperative Marketing Association. Public No. 281 (H.R. 6228) August 15, 1935.

Authorizes the Secretary of the Interior to loan $100,000, of the funds on deposit to the credit of the Chippewa Indians in Minnesota, to the Chippewa Indian Cooperative Marketing Association, for a period of 10 years, at an interest rate of 4 percent.

87. Providing for an Inquiry by the Court of Claims with Respect to Losses Sustained by Cooperative Marketing Associations in Connection with Stabilization Activities in Grain. Public Resolution No. 134.(S.J.Res. 38) Approved June 26, 1936.

The Court of Claims shall investigate losses sustained during the stabilization operations of the Federal Farm Board in 1929 and 1930, by cooperative associations to which loans were made, either directly or indirectly, by the Federal Farm Board, through withholding grain from the market and making advances to their members in order to stabilize prices, for the purpose of determining: (1) The amount of loss, if any, in the case of each such association and the facts and circumstances relating thereto; and (2) whether there is any legal, equitable, or moral obligation on the part of the U. S. to reimburse such associations, or any of them, for the whole or any part of any such loss because of any agreement or understanding with the Federal Farm Board (or any member, officer, or employee thereof) or because of any other facts or circumstances. The court shall report to Congress, at the earliest practicable date, the results of its investigation and determinations, together with appropriate recommendations.

Cotton

88. S.Res. 103 (Agreed to March 16, 1935), S.Res. 125 (Agreed to May 7, 1935) and S.Res. 172 (Agreed to July 30, 1935): (Smith) Directing the Committee on Agriculture and Forestry to investigate, with a view to determining whether there has been any manipulation, direct or indirect, of the cotton markets, or any undue influence thereupon in connection with the issuance or publication of cotton reports or statements, (1) the causes of the decline of the price of cotton on the cotton exchanges on, prior, and subsequent to March 11, 1935, and (2) the activities of the Department of Agriculture, cotton exchanges, cotton merchants, cotton brokers, cotton millers, bankers, and any other persons, firms, or corporations connected with the cotton business, on, prior, and subsequent to March 11, 1935, and report the result of its investigations, together with its recommendations.

S. Res. 182 (Agreed to August 24, 1935): (Smith) [Continues in full force and effect the above resolutions, increases the limit of expenditures by $50,000, and provides that the investigation shall not cover transactions beyond July 31, 1935.]

Senate Hearings held pursuant to these resolutions (284.372 Un3)

Executive Order No. 7097, July 9, 1935, by authority of the Revenue Acts of 1926, 1928, 1932 and 1934, orders that income, excess-profits, and capital tax returns made under the Revenue Act of 1934, the National Industrial Recovery Act, the Revenue Act of 1932, as amended by the National Industrial Recovery Act, and the prior revenue acts shall be open to inspection by the Committee for the purpose of the above investigation.

89. S.Res. 222 (Agreed to Feb. 24, 1936): (Gore) [Directs the Secretary of Agriculture to transmit to the Senate one of the 25 copies of the original draft of the unreleased manuscript entitled "Cotton Production in the United States", being Part 2 of the work entitled "The World Cotton Situation."]

Manuscript transmitted to the Senate in compliance with the resolution on March 4, 1936.

90. H.Res. 430 (Agreed to March 2, 1936): (Treadway) [Directs the Secretary of Agriculture to transmit to the House a complete and unexpurgated copy of the report of the Bureau of Agricultural Economics relative to the cotton reduction program, as submitted to him during September, 1935, prior to being made public with certain deletions and alterations on February 4, 1936, together with a statement setting forth in detail such deletions and alterations.]

Department of Agriculture report submitted March 10, 1936.

Cotton Cooperatives

91. S.Res. 185 (Agreed to August 24, 1935): (McKellar) [Authorizing and directing the Committee on Appropriations, or any duly authorized subcommittee thereof, to investigate the expenditures by the Federal Government for cotton cooperatives and these losses heretofore sustained.]

Report pursuant to resolution printed as S.Rept. 1819: Investigation of Expenditures by the Federal Government for Cotton Cooperatives. April 10, 1936. S.Rept. 1819, pt. 2: Minority views submitted May 4, 1936.

Senate Hearings held on resolution (280.272 Un3 2 vols.)

92. S.Res. 313 (Agreed to June 6, 1936): (McKellar) [Extending and continuing in force until the expiration of the 75th Congress, the authority conferred by S. Res. 185, and authorizing the committee to investigate the action of the American Cotton Cooperative Association and the Commodity Credit Corporation in the concentration and sale of cotton held for the account of cotton growers.]

Cotton Manufactures Tariff

93. S.Res. 104 (Agreed to March 29, 1935): (Metcalf) [Directs the U. S. Tariff Commission to investigate the differences in the costs of production of domestic cotton manufactures, included in paragraphs 903 and 904 of the Tariff Act of 1930, and of any like or similar foreign articles, for the purposes of Sec. 336 of said Act.]

Response of the Tariff Commission printed as U. S. Tariff Commission, Report No. 112, second series (173 T17Rs): Report to the President. Cotton Cloth.

Proclamation of the President No. 2171, May 21, 1936, under authority of the Tariff Act of 1930, approves and proclaims "increases in the rates of duty expressly fixed in Paragraph 904 (b) of Title I of said Act on cotton cloth, bleached, containing yarns the average number of which exceeds number 30 but does not exceed number 50, from 13 per centum ad valorem and, in addition thereto, for each number, thirty-five one-hundredths of 1 per centum ad valorem, to 18 1/2 per centum ad valorem and, in addition thereto, for each number, one-half of 1 per centum ad valorem; and increases in the rates of duty expressly fixed in Paragraph 904 (c) of Title I of said Act on cotton cloth, printed, dyed, or colored, containing yarns the average number of which exceeds number 30 but does not exceed number 50, from 16 per centum ad valorem and, in addition thereto, for each number, thirty-five one-hundredths of 1 per centum ad valorem, to 22 1/2 per centum ad valorem and, in addition thereto, for each number one-half of 1 per centum ad valorem.

"None of the foregoing increases in rates of duty shall be applied to any cotton cloth of a kind described in paragraph 904 (d) of Title I of said Act."

Cotton Textile Industry

94. S.Doc. 126: Cotton Textile Industry. Message from the President of the United States, transmitting a report on the conditions and problems of the cotton textile industry, made by the Cabinet Committee appointed by him. August 21, 1935.

The Cabinet Committee was appointed by the President on April 26, 1935, and consisted of the Secretary of Commerce, as chairman, and the Secretaries of State, Agriculture and Labor, to make a survey of the conditions and problems of the cotton-textile industry.

Dairy Products

95. Amending the Filled Milk Act. Public No. 350 (H.R. 6361) Approved August 27, 1935.

Amends the Act of March 4, 1923, to authorize the Secretary of Agriculture to make and enforce such regulations as may be necessary to carry out the purposes of the Act.

96. H.Con.Res. 32. (Agreed to June 15, 1934, 73d Congress): Directing the Federal Trade Commission to investigate the conditions with respect to the sale and distribution of milk and other dairy products in the United States, with a view to determining monopolistic practices.

Reports of the Federal Trade Commission on the Sale and Distribution of Milk and Milk Products, in pursuance of the concurrent resolution printed as follows:

H.Doc. 152: Connecticut and Philadelphia Milksheds. April 5, 1935. 901pp.

H.Doc. 387: Connecticut and Philadelphia Milksheds. Jan. 8, 1936. 125pp.

H.Doc. 451: Chicago Sales Area. April 15, 1936. 103pp.

H.Doc. 501: Boston, Baltimore, Cincinnati, and St. Louis. June 4, 1936.

H.Doc. 506: Minneapolis-St.Paul Area. June 15, 1936.

$110,000 additional to enable the Federal Trade Commission to comply with the provisions of H.Con.Res. 32 was provided by the First Deficiency Appropriation Act, fiscal year 1935 (Public No.21)

Economy Act

97. Executive Orders under the Economy Act.

Executive Order No. 6936, Jan. 4, 1935, by authority of sections 2 and 3, title II, of the Economy Act (Public No. 2, 73d Congress) approved March 20, 1933, as amended by Sec. 21 (a), title II of the Independent Offices Appropriation Act, 1935.

Announces the index figures for the cost of living for the 6 months' periods ending June 30, 1928 and December 31, 1934.

Declares that this percent being in excess of the maximum percent prescribed by Sec. 3(b), as amended, the "percentage of reduction applicable under Sec. 2(b), in determining the compensation of officers and employees to be paid during the period from January 1, 1935, to June 30, 1935, inclusive, is 5 per centum."

Executive Order No. 6869, Oct. 10, 1934, prescribes regulations under Sec. 16 of Executive Order No. 6166, June 10, 1933, which transferred the functions of making, waiving, and modifying apportionments of appropriations from the heads of the several departments and agencies to the Director of the Bureau of the Budget.

Executive Order No. 7390, June 15, 1936, postpones effective date of certain provisions of Executive Order No. 6166, June 10, 1933. Pursuant to the provisions of section of said Executive Order, except as hereinafter provided, orders that the transfers, consolidations, and eliminations contemplated by Sec. 4 of said Order, as amended, which are not effected prior to June 30, 1936, pursuant to Executive Order No. 6224, of July 27, 1933, Executive Order No. 6540 of Dec. 28, 1933, Executive Order 6727 of May 29, 1934, Executive Order No. 6927 of Dec. 21, 1934, Executive Order No. 7077 of June 15, 1935, and Executive Order No. 7261 of Dec. 31, 1935, together with the operatien of all other provisions of Executive Order No. 6166, as amended, in so far as they relate to the said section 4, be further delayed until Dec. 31, 1936. Any transfer, consolidation, or elimination, in whole or in part, under the said section 4, including any other previsions of the said order of June 10, 1933, in so far as they relate to Sec. 4 thereof, may be made operative and effective June 30, 1936, and Dec. 31, 1936, by order of the Secretary of the Treasury, approved by the President.

Evidence

98. Relating to the Admissibility in Evidence of Certain Writings and Records Made in the Regular Course of Business. Public No. 734 (H.R. 11690) Approved June 20, 1936.

Writings or records made as memoranda or records of acts, transactions, etc. shall be admissible as evidence in proof of such acts, transactions, etc., if made in the regular course of business, at the time of such act, etc., or within a reasonable time thereafter. All other circumstances (including lack of personal knowledge by maker) may be shown to affect its weight but not its admissibility. Term "business" to include calling of every kind.

Foreign documents, as well as copies thereof, shall, when duly certified, be admissible in evidence in any criminal action or proceeding in any court of the United States, if requirements above are satisfied, to be determined by the testimony of witnesses in foreign countries pursuant to a commission. Provides for taking of testimony by any consular or diplomatic officer to whom any commission is addressed, and for disqualifying such officer under certain conditions, etc.

Exchanges, Commodity

99. Commodity Exchange Act. Public No. 675 (H.R. 6772) Approved June 15, 1936.

Senate hearings held (280.359 Un33Tg)

Sec. 1. Amends Sec. 1 of the Grain Futures Act so that the title of that Act, as amended by the new act, may be cited as the "Commodity Exchange Act."

Sec. 2. Amends the Grain Futures Act by substituting "commodity", "any commodity", or "commodities", as the case may require, for "grain" wherever it appears, and "any cash commodity" for "cash grain."

Sec. 3. Amends Sec. 2 of the Grain Futures Act by adding cotton, rice, mill feeds, butter, eggs, and Irish potatoes to commodities under the Act. Substitutes "flaxseed" for "flax" and "grain sorghums" for "sorghum." Defines the terms "cooperative association of producers", "member of contract market","futures commission merchant", "floor broker", and "the commission" which is defined as the Commodity Exchange Commission, consisting of the Secretaries of Agriculture and Commerce, and the Attorney General.

Sec. 4. Amends Sec. 4 of the Grain Futures Act by striking out paragraph (a) of Sec. 4 which excepts futures contracts from being made by or through a member of a contract market where the seller is the owner of the actual physical property covered by the contract, or the grower thereof, or either party is owner or renter of land on which same is to be grown.

Sec. 5. Amends the Grain Futures Act by adding after Sec. 4 new sections:

(a) Declares excessive speculation in commodities to be an undue and unnecessary burden on interstate commerce, giving the Commission the power, after due notice and opportunity for hearing, by order proclaim and fix such limits on the amount of future trading which may be done on contract markets as the Commission

finds it necessary to diminish, eliminate, or prevent such burden. Makes it unlawful for a person to buy or sell commodities for future delivery on contract markets, in amounts during any one business day, or which will result in giving him a net long or short position at any one time in or with respect to any commodity in excess of the trading limit fixed. Following transactions are exempt from limits: bona fide hedging; brokers and commission merchants except when transactions are made on behalf of or for the account or benefit of themselves; and on or behalf of, or at the direction of, the United States or its agencies.

Subsections (b)-(e) make it unlawful for:

(b) Members of contract markets, and correspondents, agents, and employees thereof, in connection with orders to make, or the making of contracts of sale of any commodity in interstate commerce, or for future delivery on or subject to the rules of a contract market (if such contract for future delivery is used for hedging, determining the price basis of or delivering for the fulfillment thereof) - (a) to cheat, (b) wilfully make any false report, statement, or record, (c) wilfully deceive the customer, or (d) to bucket the order.

A commission merchant or broker who shall have in hand, simultaneously, buying and selling orders at the market for different principals for a like quantity of cotton for future delivery in the same month, is not prevented from executing such orders at the market price, etc.

(c) Any person to enter into any transaction which is, or is of the character of, or is known to the trade as, a "wash sale", "cross trade","accommodation trade", or is a fictitious sale, or which is of the character of, or known to the trade as a "privilege", "indemnity", "bid", "offer", "put", "call", "advance guaranty", or "decline guaranty", or if such is used to cause any price to be reported, registered, or recorded which is not a true and bona fide price. Does not prevent the exchange of futures in connection with cash commodity transactions, or of futures for cash commodities, or transfer trades, or office trades if made under board of trade rules not disapproved by the Secretary of Agriculture.

(d) Any person to engage as futures commission merchant in soliciting or accepting future delivery orders to be executed on a contract market unless he: Is registered as such with the Secretary of Agriculture (and such shall not have expired nor been suspended nor revoked); shall treat and deal with all money, securities, and property received by him to margin, guarantee, or secure the trades or contracts of any customer, as belonging to such customer, and prohibits use of such to margin or guarantee the trades or contracts, or to secure or extend the credit of, any other person, but permits him to deposit such in a bank, trust company, or clearing house organization of such contract market, subject to withdrawal as required for the customers' benefit, or to invest such in "investment securities" as defined in section 5136 of the Revised Statutes, or obligations of the U. S. or States, or, subject to approval by the Secretary of Agriculture, to lend such on the security of negotiable warehouse receipts conveying or securing title to readily marketable commodities to the extent of the current loan value of such receipts.

(e) Any person to act as floor broker in executing orders for futures contracts on contract markets unless registered with the Secretary of Agriculture (and such shall not have expired nor been suspended nor revoked).

(f) Provides for registration by futures commission merchants and floor brokers, registrations to expire on 31st day of December for year issued. Applications of commission merchants shall contain certain information, and they shall continue to report and furnish information to the Secretary when registered. They shall post their registration certificate in a conspicuous place in each office.

(g) Provides for suspension or revocation (after notice and hearing) for failure to abide by the Act or rules and regulations thereunder, for failure to make reports required by the Secretary, or to keep books and records open for inspection.

Sections h and i make it unlawful for any person to:

(h) Conduct any office or place of business where orders for futures contracts are solicited or accepted if such orders, contracts, or dealings are executed or consummated otherwise than by or through a member of a contract market; or falsely represent that he is a member of a contract market, or a registered futures commission merchant, or an agent of either, or that the contract or order is to be or has been executed on, or by or through any member.

(i) Make any contract for future delivery without reporting in accordance with the rules and regulations of the Secretary of Agriculture, when such contracts exceed amounts fixed. Requires keeping of books and their availability for inspection to secure compliance with such provisions.

Sec. 6. Amends Sec. 5 of the Grain Futures Act to authorize the designation of a board of trade as a contract market even though not located at a terminal market if such provides for delivery of commodities at delivery points and upon terms and conditions approved by the Secretary.

Sec. 7. Amends Grain Futures Act by adding after Sec. 5:

5(a) Requires contract markets to (1) furnish Secretary copies of all bylaws, rules, resolutions, etc., and changes therein; (2) allow representatives of the Departments of Agriculture and Justice to inspect books, minutes, etc., of such contract market, its governing board, committees, etc., which shall be kept for 3 years or longer; (3) require operators of warehouses delivering commodities on futures contracts to keep such records and permit such visits as Secretary may prescribe, such books and records to be kept for 3 years or longer and be open for inspection; (4) provide for a period, after trading in futures contracts in a delivery month has ceased, during which such contracts in such month may be satisfied by delivery of the actual cash commodity, and authorizes the Secretary to order a market to establish such period after notice and hearing and a finding that the order is necessary to prevent "squeezes" and market congestion endangering price stability, such period to be from 3 to 10 days; (5) require party making delivery under a futures contract to give the person accepting delivery written notice of delivery at least 1 business day prior to delivery and authorizing the Secretary to require longer notice (not exceeding 10 days) when he finds it necessary,

after notice and hearing; (6) require that all futures contracts in a commodity made on that market provide for delivery of grades conforming to U. S. standards, if officially promulgated; require that receipts issued under the U. S. Warehouse Act shall be accepted in satisfaction of any futures contract without discrimination and notwithstanding such warehouseman is not also licensed under the laws of any State, etc.

(b) Authorizes suspension (for a period of not exceeding 6 months) or revocation of a contract market's designation as such for violation of the Act or rules and regulations thereunder.

Sec. 8. Amends Sec. (b) of the Grain Futures Act by transferring to the Secretary of Agriculture the power and authority now vested in the Commission, to deny trading privileges on contract markets to any person who, after hearing, is found to have violated any of the provisions of the Act, or any rules and regulations thereunder; adapting the language of the section to authorize suspension and revocation of registrations; clarifying the language of the section in its application to manipulations of and attempts to manipulate the market price of any commodity; and extending the reference to section 12 of the Interstate Commerce Act to include supplementary acts relating to attendance and testimony of witnesses, the production of documentary evidence, and immunity of witnesses in proceedings.

Sec. 9. Amends Sec. 6 of the Grain Futures Act by adding following new sections:

(a) Prohibits boards of trade designated as contract markets from excluding any legitimate cooperative association from trading if it complies with terms and conditions lawfully imposed on other members of such boards, or on a cooperative association of producers engaged in cash commodity business, unless authorized by the Commission to do so, after hearing held within 3 days after filing of complaint. Such association shall be ipso facto debarred from further trading (except as may be necessary to close open trades and to discharge existing contracts) if it fails to meet its obligations. Provision is made for judicial review of Commission's orders.

No rule of any board of trade shall forbid the payment of compensation by any federated cooperative association to its regional member-associations for services rendered or to be rendered in connection with any organization work, educational activity, or procurement of patronage, provided no part thereof is returned to patrons of such cooperative association, or of its regional or local member-associations (other than as dividends on capital stock or patronage dividends out of net earnings or surplus).

(b) Provides that for violation by a board of trade or its agents of the Act, rules or regulations thereunder, or orders of the Commission pursuant thereto, the Commission may, in lieu of revoking the designation as a contract market, after hearing and subject to judicial review, issue a cease and desist order. Failure to obey order after the lapse of period allowed for appeal or after affirmance subjects offender to criminal penalties.

Sec. 10. Inserts a new section in the Grain Futures Act (Sec. 8a) under which Secretary of Agriculture is authorized to:

(1) register futures commission merchants and floor brokers upon application in accordance with rules and regulations; (2)

refuse to register any person whose registration has been suspended or revoked; (3) suspend or revoke registration of any futures commission merchant who knowingly accepts any order from any person denied trading privileges under Sec. 6(b); (4) fix fees for issuance of registrations, renewals, and copies, not exceeding $10; (5) make necessary rules and regulations to carry out purposes of the Act; and (6) publish full facts, including names of parties thereto, concerning any transaction or market operation which in the judgment of the Secretary disrupts or tends to disrupt any market or is otherwise harmful to the interests of producers and consumers.

Sec. 11. Amends Sec. 9 of the Grain Futures Act, relative to punishment of violations by criminal proceedings, by adding violations of Sections 4a to 4e, and 4h and 4i thereto. Makes manipulations and cornering punishable and imposes criminal penalties upon persons who cause to be delivered false or misleading crop or market information.

Sec. 12. Provides for separability in case of declaration of unconstitutionality of any provision of this Act, or their application.

Sec. 13. Provisions of Act authorizing registration of futures commission merchants and brokers, fixing of fees and charges therefor, promulgation, (and holding of hearings precedent thereto) of rules, regulations and orders shall be effective immediately. Other provisions shall be effective 90 days after enactment.

Federal Board of Surveys and Maps

100. Created by Executive Order No. 7262, Jan. 4, 1936, with a central information office in the U. S. Geological Survey, Department of the Interior. Succeeds the Board of Surveys and Maps of the Federal Government.

Federal Farm Board

101. S.Res. 276 (Agreed to June 18, 1934, 73d Congress): Continuing until the end of the first session of the 74th Congress the investigation of the Committee on Agriculture and Forestry of the activities and operations of the Federal Farm Board, pursuant to S.Res. 42, agreed to April 11, 1932, 72d Congress.

Response printed as Senate Report 1456: Activities and Operations of the Federal Farm Board. August 23, 1935.

Fish

102. Amending Section 10A of the Food and Drugs Act Relating to Sea Food Inspection. Public No. 346 (S.3194) Approved August 27, 1935.

Rewrites Section 10A of the Federal Food and Drugs Act relating to the inspection of sea food so that receipts from fees collected from packers and covered into the Treasury shall be available to the Secretary of Agriculture for salaries of inspectors actually assigned to the plants and provides that the fees shall be only in such amounts as are necessary for supervision, administration, equipment, supplies, and the like, thus permitting overhead costs to be allocated on a per-case basis so that the per-case cost of inspection to a small packer would be identical with that of a large packer.

103. S.Res. 100 (Agreed to July 29, 1935): (Walsh) [Directing the U. S. Tariff Commission to complete, as soon as practicable, and report to the President upon its investigation under Sec. 336 of the Tariff Act of 1930 with respect to frozen swordfish.]

Response of the Tariff Commission printed as U. S. Tariff Commission. Report No. 107, second series (173 T17Rs): Report to the President. Frozen Swordfish.

Proclamation of the President No. 2157, Jan. 23, 1936, under authority of the Tariff Act of 1930, approves and proclaims an increase in the rate of duty expressly fixed in paragraph 717 (a) of title I of said act on frozen swordfish (whether or not packed in ice), whole, or beheaded or eviscerated or both, but not further advanced (except that the fins may be removed), from 2 cents per pound to 3 cents per pound, the rate found to be shown by said investigation to be necessary (within the limit of total increase provided for in said act) to equalize such difference in costs of production."

Flood Control*

104. Flood Control Act of 1936, Public No. 738 (H.R. 8455) Approved June 22, 1936.

Sec. 1. Recognizes that destructive floods "constitute a menace to national welfare; that it is the sense of Congress that flood control on navigable waters or their tributaries is a proper activity of the Federal Government in cooperation with States, their political subdivisions, and localities thereof"; that investigations and improvements for flood control "are in the interest of the general welfare; that the Federal Government should improve or participate in the improvement of navigable waters or their tributaries, including watersheds thereof, for flood-control purposes", if the benefits are in excess of estimated costs, and "if the lives and social security of people are otherwise adversely affected."

Sec. 2. Provides that Federal investigations and improvements of rivers and other waterways for flood control and allied purposes shall be under direction of Secretary of War and supervision of Chief of Engineers; while "investigations of watersheds and measures for run-off and water-flow retardation and soil-erosion prevention on watersheds" shall be under direction of Secretary of Agriculture. This shall not interfere with investigations and river improvements incident to reclamation projects undertaken by the Bureau of Reclamation pursuant to law.

Sec. 3. Money appropriated under authority of this Act shall not be expended until States, political subdivisions thereof, or other local agencies have given assurances they will (a) provide necessary lands without cost to the United States, (b) hold and save the U. S. free from damages due to construction, (c) maintain and operate all works in accordance with regulations of the Secretary of War. When expenditures for lands exceed estimated construction cost, the local agency may be reimbursed 1/2 of its

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* Numerous acts providing for the examination of various rivers for flood-control purposes are omitted.

excess expenditures over the estimated construction cost. Secretary of War shall determine the proportion of costs of lands each State shall contribute. When more than 75 percent of the benefits of a project accrue to lands outside a State, the State shall not be required to pay maintenance costs.

Sec. 4. Grants consent of Congress to State compacts to carry out the purposes of the Act, such to be effective without further consent or ratification of Congress, which they provide that money shall be expended and work performed thereunder by the War Department, except sums retained by States for purpose of collecting taxes and maintaining necessary State organizations.

Sec. 5. Adopts and authorizes to be prosecuted, in order of their emergency as designated by the President, certain specified projects (over 200) in accordance with the plans in the respective reports and records hereinafter designated.

Sec. 6. Authorizes and directs the Secretary of War to cause preliminary examinations and surveys for flood control, and Secretary of Agriculture to cause preliminary examinations and surveys for run-off waterflow retardation and soil erosion prevention on watersheds of certain localities named herein (about 222). After regular or formal reports are made to Congress, as hereby authorized no additional or supplemental report or estimate shall be made unless authorized by law or by resolution of the House Flood Control or the Senate Commerce Committee.

Sec. 7. Authorizes and directs Secretary of War to continue surveys, studies, and reports at 10 localities named herein.

Sec. 9. Authorizes an appropriation of $310,000,000 for projects designated and $10,000,000 to be expended in equal amounts by Departments of War and Agriculture for examinations and surveys. Limits expenditures to $50,000,000 in fiscal year 1937. Permits employment of relief workers on such works, who are to be paid from W.P.A. funds.

105. Amending Mississippi Flood Control Act of May 15, 1928. Public No. 678 (S.3531) Approved June 15, 1936.

Adopts and authorizes and directs prosecution under direction of Secretary of War and supervision of Chief of Engineers of the Mississippi flood control project of 1928 adopted by the Mississippi Flood Control Act of 1928 (Public No. 391, 70th Congress) as modified in accordance with recommendations of Sec. 43 of the report submitted by the Chief of Engineers to the Committee on Flood Control (House Committee on Flood Control Document No. 1, Feb. 12, 1935) and further modified by this Act.

Abandons Boeuf Floodway as soon as Eudora Floodway shall have been constructed. Raises levees in vicinity of Morganza Floodway. Forbids work on St. Francis and Yazoo River projects until States assume cost of necessary highway alterations, and furnish lands and easements for levees, etc. Provides for construction of White River levee system at expense of U.S. Provides that United States shall provide drainage in connection with construction of floodway levees. United States shall contract railroad and highway crossing in connection with the Eudora, Morganza, and West Atchafalaya Floodways, etc. States or other local agencies must give assurances that they will provide lands, easements, and rights-of-way, hold

and save United States free from damages due to construction, and maintain and operate works after completion before money shall be expended on construction of any reservoir project, etc.

Authorizes the appropriation of $15,000,000 as an emergency fund to be allocated by the Secretary of War on recommendation of the Chief of Engineers in rescue work or in repair or maintenance of any flood-control work on any tributary of the Mississippi River threatened or destroyed by flood. The unexpended and unallotted balance of said sum may be allotted in reimbursement for expenditures heretofore incurred in such connection.

Authorizes Secretary of War to enter into agreements with States or local agencies for acquisition and transfer to United States of flowage rights and levee rights-of-way, and for reimbursement for cost thereof. Makes certain provisions in connection with obtaining flowage rights and rights-of-way for levee foundations in connection with the Eudora, Morganza, and West Atchafalaya Floodways. Provides that "if the Secretary of Agriculture shall determine to acquire any of the properties within the floodways herein referred to, for national forests, wildlife refuges, or other purposes of his Department, the Secretary of War may, upon recommendation by the Chief of Engineers, in lieu of acquiring flowage rights, advance to or reimburse the said Secretary of Agriculture sums equal to those that would otherwise be used for the purchase of easements desired by the War Department" and Secretary of Agriculture is authorized to use these sums for purpose of acquiring properties in the floodways in question.

Authorizes appropriation of $272,000,000 for carrying out this modified adopted project and makes available all unexpended balances of appropriations heretofore made for the project.

106. State Compacts for Conservation, Flow Regulation, and Purification of Waters of Rivers and Streams. Public Resolution No. 104 (H.J. Res. 377) Approved June 8, 1936.

Gives the consent of Congress to the States of Maine, New York, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, Pennsylvania, West Virginia, Kentucky, Indiana, Illinois, Tennessee, and Ohio, or any two or more of them, to negotiate and enter into agreements or compacts for conserving and regulating the flow, lessening flood damage, removing sources of pollution of the waters therof, or making other public improvements on any rivers or streams whose drainage basins lie within any two or more of the said States. Such compact or agreement must be approved by the legislatures of each of the States whose assent is contemplated by the terms of the compact or agreement before it is binding.

107. H.Res. 298 (Agreed to July 18, 1935): (Beiter) Authorizing the appointment of a committee to investigate waterway conditions in central New York.

Foreign Service

108. Payment of Losses Due to Appreciation of Foreign Currencies.

Executive Order No. 7312, March 9, 1936, amends Sec. 3 (e) of Executive Order No. 6928, Dec. 24, 1934, prescribing regulations for payment of losses sustained by officers, enlisted men, and employees of the United States in foreign countries on account of appreciation of foreign currencies in their relation to the American dollar.

$3,904,824 is appropriated by the Independent Offices Appropriation Act, fiscal year 1936 (Public No. 2) for this purpose (as authorized by Public No. 129, 73d Congress), and $1,478,652 is appropriated by the Second Deficiency Appropriation Act, fiscal year 1935 (Public No. 260) and $1,800,000, together with $2,048,611 of unexpended balances is appropriated by the Independent Offices Appropriation Act, fiscal year 1937 (Public No. 479) for the same purpose.

Foreign Trade

109. First Export-Import Bank of Washington. (E.I.B.)

Continued in effect as an agency of the United States until June 16, 1937, or such earlier date as may be fixed by the President, by section 9 of the R.F.C. Extension Act (Public No. 1, approved Feb. 6, 1935).

$36,000 appropriated to the Bureau of Foreign and Domestic Commerce by the Supplemental Appropriation Act, fiscal year 1936 (Public No. 440) to continue studies and statistical work on international balances, and for salaries of employees of the Export-Import Bank.

110. Second Export-Import Bank of Washington, D. C. (S.E.I.B.)

Continued in effect as an agency of the United States until June 16, 1937, or such earlier date as may be fixed by the President, by section 9 of the R.F.C. Extension Act (Public No. 1, approved Feb. 6, 1935).

111. Office of Special Adviser to the President on Foreign Trade.

Discontinued on July 16, 1935 and work and personnel transferred to Bureau of Foreign and Domestic Commerce.

112. Foreign Trade Zone Board.

Executive Order No. 7104, July 18, 1935, by authority of Act of June 18, 1935 (Public No. 397, 73d Congress) orders and directs the executive departments and other establishments of the Government to cooperate with the Foreign Trade Zone Board.

113. Executive Committee on Commercial Policy.

Established by letter of November 11, 1933, from the President to the Secretary of State, and continued by Executive Order No. 6656, March 27, 1934.

Executive Order No. 7260, Dec. 31, 1935, provides that:

1. The permanent membership shall be composed of representatives of the Departments of State, Treasury, Agriculture, Commerce,

and the United States Tariff Commission and the Agricultural Adjustment Administration, and may, "with the approval of the President, from time to time add representatives of other governmental departments or agencies to its membership," etc.

2. Chairman shall be a representative of the Department of State who shall be appointed by the Secretary. Other representatives shall be appointed by respective heads of their departments or agencies.

3. "The Committee shall continue to exercise its present functions for the purpose of coordinating the commercial policy of the United States."

114. H.Res. 404 (Agreed to 73d Congress) as continued by H.Res. 71 (Agreed to Jan. 25, 1935): [Authorizing and directing the Committee on Foreign Affairs of the House, to conduct an investigation of (1) the extent to which the United States is dependent upon foreign nations for its supply of tin; (2) the ownership and control of the tin resources of the world;...(6) all other questions in relation thereto that would aid Congress in any necessary legislation.]

115. Report pursuant to above resolution printed as H. Rept. 748: Investigation of the Extent to Which the United States Is Dependent upon Foreign Nations for Its Supply of Tin. April 23, 1935.
Report of the Committee on the resolution. (294 Un32 3pts.)

116. S.Res. 111 (Agreed to March 29, 1935): (Vandenberg) [Requesting information from the Secretary of the Treasury regarding imports of agricultural products into the United States from January 1, 1934 to March 1, 1935, by countries of origin, dates of importation, kinds, volume, value in dollars, names of transporting ships, and U. S. ports of entry; and requesting information from the Secretaries of Agriculture and Commerce, and the Special Foreign Trade Adviser showing cotton and wheat acreage, production and consumption, imports and exports, in volume and dollar value, of cotton and wheat produced and consumed by the separate countries of the world, together with the annual world surplus, for the years 1904 to December 31, 1934.]
Response from the Special Adviser to the President on Foreign Trade printed as S. Doc. 46: Imports of Agricultural Products, and Cotton and Wheat Production and Consumption. April 11, 1935.
Response from the Secretary of Commerce printed as S.Doc. 54: Production, Exports and Imports of Raw Cotton. May 1, 1935.
Response from the Secretary of the Treasury printed as S. Doc. 58: Imports of Agricultural Products into the United States. May 1, 1935.
Response from the Secretary of Agriculture printed as S. Doc. 62: Acreage, Production, and Trade in Cotton and Wheat in the United States and Foreign Countries. May 20, 1935.

117. S.Doc. 263: The Significance of Agricultural Imports. Letter from the Secretary of Agriculture to Senator Louis Murphy, transmitting a statement prepared by the Department of Agriculture with regard to the causes and the significance of the recent increase in agricultural imports into the United States. June 2, 1936.

Forestry

118. Amending Act of May 22, 1928 Entitled an Act to Insure Adequate Supplies of Timber and Other Forest Products for the People of the United States, Etc. Public No. 683 (H.R. 8271) Approved June 15, 1936.

Authorizes Secretary of Agriculture to establish the Great Plains Forest Experiment Station in the Great Plains and prairie States, and to acquire by purchase, condemnation, donation, or otherwise such real property or interest therein as in his judgment is required for use of said station. Authorizes annual appropriations of such additional sums as may be required for these purposes.

119. S.Res. 200 (Agreed to Aug. 24, 1935): (Borah) [Directing the U. S. Tariff Commission to investigate and report to the Senate all facts relating to wood pulp or pulpwood, showing volume of importations compared with domestic production and the conditions, causes, and effects relating to foreign competition, and all other facts showing the differences in, or which affect competition between, the production in the United States or that imported in the principal markets of the United States.]

120. S.Res. 205 (Agreed to March 15, 1934, 73d Congress): Requesting the Secretary of Agriculture to submit to the Senate certain information concerning the importation, domestic requirements, and supply of pulpwood, pulp, and paper.

Response printed as S. Doc. 115: Report on the National Pulp and Paper Requirements in Relation to Forest Conservation. July 15, 1935.

See also Lands, Forest

Government Publications

121. To Amend Certain Acts Relating to Public Printing and Binding and the Distribution of Public Documents and Acts Amendatory Thereof. Public No. 724 (S.3440) Approved June 20, 1936.

Provides certain changes in printing and distribution of memorial addresses, Congressional Record, decisions of the Supreme Court, Government publications, public documents, annual reports of Government departments, Statutes at Large, etc.

Specifies that subscription price for Congressional Record shall be $1.50 a month and increases the number of copies to be distributed gratuitously. Provides 2 copies of the daily, one semi-monthly, and one bound copy to the library of each executive department, independent office, and establishment of the Government in Washington, etc. Approval of Joint Committee on Printing must be obtained before maps, diagrams, or illustrations may be inserted in the Record.

Orders delivery to Library of Congress of 150 copies of United States Supreme Court reports for international exchange by law library, 125 copies of all Government publications for international exchange, 150 copies of public documents for international exchange and official use, and further copies of certain unbound documents.

Changes time for departmental heads to furnish Public Printer with the manuscript copy (to Nov. 15th) and revised proof (to Dec. 10th) of their annual reports and also of accompanying documents (except report of Secretary of Treasury)

Orders publication of Statutes at Large for each session of Congress, modifies quotas to be distributed, and dispenses with pamphlet copies. Allots 150 copies to the Department of Agriculture.

Orders the stamping and preservation of all Government publications, furnished to public officers, as property of the United States, to be turned over to successors in office.

Authorizes the Public Printer to furnish to the departments copies of all public bills and resolutions required for official use, thus eliminating private bills and resolutions.

Government Reorganization

122. S. Res. 217 (Agreed to Feb. 24, 1936): (Byrd) [Establishing a Senate Committee of five, and authorizing and directing the committee to make a full and complete study of all the activities of the departments, bureaus, boards, commissions, independent agencies, and all other agencies of the executive branch of the Government with a view to determining whether the activities of any such agency conflict with or overlap the activities of any other such agency and whether, in the interest of simplification, efficiency, and economy, any of such agencies should be coordinated with other agencies or abolished, or the personnel thereof reduced.] Requires report to the Senate at the beginning of the 75th Congress, and from time to time thereafter, together with recommendations for necessary legislation.

Messrs. Byrd, Robinson, O'Mahoney, McNary and Townsend were appointed members of the Special Committee under the resolution.

123. H.Res. 460 (Agreed to April 29, 1936): (Bankhead) [Authorizing and directing a select committee of 5 Members of the House to investigate executive agencies of the Government with a view to coordination as in S.Res. 217 above.] Requires report to the House (or to the Speaker, if the House is not in session) together with recommendations for necessary legislation.

Messrs. Buchanan, Cochran, Brown of Michigan, Lehlbach, and Wadsworth appointed members of the committee pursuant to the resolution.

$20,000 made available for the expenses of the select committee to investigate executive agencies of the Government with a view to coordination acting pursuant to H.Res. 460 by the First Deficiency Appropriation Act, fiscal year 1936 (Public No. 739)

The First Deficiency Appropriation Act, fiscal year 1936 also authorizes the President to allocate $100,000 from funds appropriated by the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11) for the expenses of a committee designated by him to make a study of the executive agencies of the Government. "Such committee shall ascertain whether the activities

of any such agency conflict or overlap the activities of any other such agency and whether, in the interest of simplification, efficiency, and economy, any of such agencies should be coordinated with other agencies or abolished, or the personnel thereof reduced, and make recommendations with respect thereto." Requires that reports of such studies and recommendations, together with the essential facts in connection therewith, shall be transmitted to the President and to Congress. (See S.Doc. 230)

Grasshoppers

124. Control of Grasshoppers. Public Resolution No. 127 (H.J.Res. 642) Approved June 24, 1936.

Appropriates $250,000, to remain available until June 30, 1937, for the application of such methods of control of grasshoppers as, in the judgment of the Secretary of Agriculture, may be necessary, in cooperation with the authorities of the States concerned, organizations, or individuals as he may deem essential. No part of this appropriation shall be expended in any State until such State has provided necessary organization for cooperation, or for paying the cost or value of farm animals, farm crops, or other property injured or destroyed, etc.

Home Financing

125. Home Mortgage Relief Act (Fletcher-Steagall). Public No. 76 (H.R. 6021) Approved May 28, 1935.

Senate Hearings held on bill (284 Un36Ho)

Sections 1-9 amend the Federal Home Loan Bank Act, as amended.

Makes mortgages on properties improved by dwellings for not more than four families eligible as collateral in the Federal home-loan bank system.

Provides that payment of dividends on stock of the Federal home-loan banks will be without preference.

Provides for increasing the membership of the board of directors of each Federal Home Loan bank to 12 members, effective Jan. 1, 1936. Of these 4 are to be appointed for 4-year terms by the Federal Home Loan Bank Board, and 8 are to be elected for 2-year terms (2 of them as directors at large) by the institutions which are members of the bank.

Provides for the creation of a Federal Savings and Loan Advisory Council of 18 members, of whom 12 are to be elected annually by the boards of directors of the Federal Home Loan banks and 6 are to be appointed annually by the Board. Authorizes the Council to confer with the Board and the trustees of the Federal Savings and Loan Insurance Corporation and to make recommendations with respect to matters within their respective jurisdictions.

Enables the Federal home-loan banks to accept Government obligations, and obligations fully guaranteed by the United States, up to their face value, as collateral security for long-term loans, and liberalizes existing law so as to make amortized home mortgages for original terms of 6 years or more, instead of those with terms for 8 years or more, eligible as such collateral.

Extends the limitation of existing law with respect to the maturity of mortgages which may be accepted as collateral for

advances by Federal Home Loan banks from 15 to 20 years, and makes all home mortgages up to $20,000 in amount-instead of those on properties valued up to $20,000 - eligible as such collateral.

Authorizes Federal home-loan banks to make advances to non-member borrowers secured by mortgages insured under title II of the National Housing Act, up to 90 percent of the unpaid principal of such mortgages.

Gives consolidated bonds and debentures of the Federal home-loan banks the same tax exemption as bonds of the individual banks.

Provides that the receipts of the Federal Home Loan Bank Board derived from assessments on the banks and from other sources (except receipts from the sale of consolidated bonds and debentures) shall be deposited in the Treasury subject to withdrawal by the Board for administrative expenses.

Sections 10-21 amend the Home Owners' Loan Act of 1933 (Public No. 43, 73d Congress) as amended.

Liberalizes the provisions of the Home Owners' Loan Act of 1933 so that home mortgages on real property upon which there is located a dwelling or dwellings for not more than four families and which is used in whole or in part by the owner as a home or held by him as a homestead may be eligible as collateral.

Increases the borrowing power of the Home Owners' Loan Corporation from $3,000,000 to $4,750,000,000 to provide for applications heretofore filed and for those filed within 30 days after this amendment takes effect.

Provides that for the purposes of the Home Owners' Loan Act of 1933 assessments levied upon real property, made by any special district organized in any State for public improvements, shall be treated as general tax levies. Leaves it to the Board to determine the reasonableness of the annual tax burden on property securing loans by the Corporation, and the effect of the total levies upon the loanable value of such property, and provides that no deduction shall be made from the loanable value for levies not due at the time of making the loan where the total annual taxes and assessments on the property did not exceed a sum which, in the discretion of the Board, is a reasonable annual tax burden for the property.

Provides that no person shall be appointed or retained as an officer, employee, agent, or attorney, at a fixed salary, in any regional or State office of the Corporation who is an officer or director of any firm, corporation, or association engaged in lending money on real estate; and such person must have been a bona fide resident of the State served by the State or district office of the Corporation for a period of at least one year immediately preceding the date of his appointment. Eliminates what is in effect a preference given by existing law to a home mortgage or other obligation or lien held by an institution which is in liquidation.

Provides that no person shall be allowed to act as appraiser for the Home Owners' Loan Corporation if he is in the employ of any company holding a loan on the property or if he is interested in the subject matter of the loan.

Increases from $300,000,000 to $400,000,000 the amount of bonds which the Home Owners' Loan Corporation is authorized to sell to provide funds for repairs and improvements.

Authorizes the Home Owners' Loan Corporation to purchase (1) Federal Home Loan bank bonds, debentures or notes (including consolidated bonds or debentures), (2) full-paid income shares of Federal savings and loan associations on the same terms and conditions and within the same limitations as in the case of purchases of such shares by the Secretary of the Treasury after the funds made available to the Secretary have been exhausted, and (3) shares in any institution which is (a) a member of a Federal Home Loan Bank, or (b) whose accounts are insured under title IV of the National Housing Act, if the institution is eligible for insurance under such title; and to make deposits and purchase certificates of deposit and investment certificates in any such institution. The total amount to be available under this section (4 (n) of the Home Owners' Loan Act of 1933) is fixed at $300,000,000, to be used without discrimination in favor of federally chartered associations. Repeals section 9 of the Act of April 27, 1934, which was inconsistent with the foregoing provisions.

Permits State-chartered institutions which are converted into Federal savings and loan associations to continue to make loans in the territory in which they made loans while operating under a State charter.

Increases by $200,000 the amounts made available to the Federal Home Loan Bank Board for the purpose of encouraging and promoting organization, and development of Federal savings and loan associations. Such sums shall be used impartially in the promotion and development of local thrift and home-financing institutions, whether State-chartered or Federal.

Makes certain provisions of the Criminal Code of the United States applicable to transactions with employees of the Home Owners' Loan Corporation to the same extent as in the case of direct transactions with officers and employees of the United States.

Extends the penalties of section 8(c) of the Home Owners' Loan Act of 1933 to cases where a charge is made against persons applying to the corporation for a loan for the difference between the par value and the market value of the bonds issued by the Corporation.

Sections 22-31 amend the National Housing Act (Public No. 479, 73d Congress)

Authorizes the Federal Savings and Loan Insurance Corporation to use the franking privilege for its official business, and provides that the Corporation shall determine its necessary expenditures and the manner in which they shall be incurred, and paid, without regard to the provisions of any other law governing the expenditure of public funds.

Liberalizes the reserve provisions applicable to associations whose accounts are insured by the Federal Savings and Loan Insurance Corporation by extending the period within which the 5-percent reserve must be built up from 10 years to 20 years, and allows such associations to declare dividends for any year when losses are chargeable to such reserves if such declaration of dividends is approved by the Corporation.

Corrects an error in existing law with respect to the admission fee to be charged to an applicant for insurance which applies after

the first year, and in effect provides that such fee shall be based upon the reserve fund of the corporation instead of upon the reserve fund of the applicant.

Reduces the premium rate for insurance under title IV of the National Housing Act from 1/4th of 1 percent to 1/8th of 1 percent per annum, and provides for a credit on future premiums of any amounts paid above such 1/8th of 1 percent.

Corrects procedure in case of liquidation of an association which is in default.

Authorizes the Corporation in its discretion to make loans to, purchase the assets of, or make a contribution to, an insured institution in order to prevent a default or in order to restore an insured institution to normal operation, but the amount of any such contribution shall not exceed the expense of liquidating the institution.

Extends the time from January 1, 1936, to April 1, 1936, within which loans must be made in order to be eligible for insurance under section 2 of the National Housing Act. Provides that loans up to $50,000 shall be eligible for such insurance if made for the purpose of financing alterations, repairs, and improvements with respect to real property "improved by or to be converted into apartment or multiple family houses, hotels, office, business or other commercial buildings, hospitals, orphanages, colleges, schools, or manufacturing or industrial plants." Clarifies existing law by providing that the installation of new equipment and machinery may be considered to be "alterations, repairs, and improvements."

Authorizes the Federal Housing Administrator in his discretion to require a mortgagor whose mortgage is insured under title II of the National Housing Act to pay a premium charge in such amount as the Administrator determines to be equitable in the event that the principal obligation of the mortgage is paid in full prior to maturity, but the amount of such charge is not to exceed the aggregate amount of the premium charges that the mortgagee would otherwise have been required to pay if the mortgage had continued to be insured until the maturity date. Provides that interest on the unpaid principal of an insured mortgage may be included in determining the amount of debentures to be issued to a mortgagee who has delivered the property to the Administrator, but such interest is to cover only the period from the date foreclosure proceedings were instituted or the property was otherwise acquired by the mortgagee with the consent of the Administrator to the date of such delivery, less any amount received on account of interest accruing between such dates. The rate of interest in any such case is to be the same as that provided for in the debentures.

Reduces the required capital of a National mortgage association from $5,000,000 to $2,000,000.

Authorizes the issue of notes, bonds, debentures, and other such obligations by a national mortgage association up to 12 times the aggregate par value of its outstanding stock, instead of 10 times such aggregate par value under existing law.

For section 32, amendment of section 32 of Emergency Farm Mortgage Act of 1933, See Agricultural Credit.

126. Home Owners' Loan Corporation Case

The Supreme Court in the case of Hopkins Federal Savings and Loan Association v. Cleary, (296 U.S. 315) decided Dec. 9, 1935, held unconstitutional the provisions of Sec. 6 of the Home Owners' Loan Act of 1934 (Public No. 178, 73d Congress) amending Sec. 5 (i) of the Home Owners' Loan Act of 1933, for conversion of State building and loan associations into Federal associations, upon vote of 51 percent of the votes cast at a meeting called to consider the action.

127. Federal Housing Administration

Executive Order No. 7280, Jan. 28, 1936, evidences, validates, and confirms the creation of the Federal Housing Administration.

Stewart McDonald, of Missouri, Federal Housing Administrator.

128. National Housing Act Amendments. Public No. 486 (S.4212) Approved April 3, 1936.

Amends Sec. 2 of Title I of the National Housing Act, as amended, effective April 1, 1936.

Extends time during which modernization loans may be insured by the Federal Housing Administration until April 1, 1937, and authorizes the Administrator to insure such financial institutions as "he finds to be qualified by experience or facilities and approves." These loans may be for "the purpose of financing alterations, repairs, and additions upon improved real property." Reduces amount of insurance granted by the Administrator to lending institutions from 20 to 10 percent of their total loans, and the total liability on the part of the Government for such insurance from $200,000,000 to $100,000,000.

Continues the limit on loans at $2,000, except in the case of loans or credit advancements made with "respect to real property already improved by apartment or multiple-family houses, hotels, office, business, or other commercial buildings, hospitals, orphanages, colleges, schools, churches, or manufacturing or industrial plants," etc. wherein the maximum is set at $50,000. Prohibits loans of $2,000 or less for "purchase and installation of equipment and machinery upon improved real property."

Empowers the Administrator, under regulations prescribed by him and approved by the Secretary of the Treasury, to dispose of property and security acquired in the payment of insurance and to collect or compromise obligations held by him in connection with the payment of such insurance until referred to the Attorney General for suit or collection.

Authorizes transfer of insurance on loans and credit advancements which may be sold by one approved financial institution to another.

Repeals section 3 which authorizes loans by the Administrator to financial institutions for full face value of obligations offered as security.

129. S.Res. 268 (Agreed to March 27, 1936): (McKellar) [Calling on the Federal Home Loan Bank Board and Home Owners' Loan Corporation to furnish to the Senate the number and location of regional offices, number of persons employed in each, names of various officials and

employees of such offices, legal residence of each such official and employee at date of first employment, date of such first employment, etc., also total pay-roll expense of the home office in Washington, by months, from Jan. 1, 1936 to Jan. 31, 1936.]

Homesteads

130. Further Extending the Period of Time During Which Final Proof May Be Offered by Homestead and Desert Land Entrymen. Public No. 222 (S. 1065) Approved July 26, 1935.

Extends the Act of May 13, 1932, as amended, to cover the year 1935.

131. To Eliminate the Requirement of Cultivation in Connection with Certain Homestead Entries. Public No. 285 (S.2577) Approved August 19, 1935.

Provides that, exclusive of Alaska, the homestead laws requiring cultivation of the land entered shall not apply to existing homestead entries made prior to February 5, 1935, and no patent shall be withheld for failure to cultivate such lands; but this Act shall not affect any provision of law requiring the cultivation of lands subject to the reclamation laws, nor entries made under the Forest Homestead Act of June 11, 1906 (34 Stat.233).

132. Authorizing Certain Homestead Entrymen Who Are Disabled World War Veterans to Make Final Proof of Their Entries. Public No. 377 (H.R. 8153) Approved August 27, 1935.

Authorizes any entryman under the homestead laws of the United States, who was honorably discharged from service, and whose entry was made prior to January 1, 1935, to make proof without further residence, improvement, or cultivation, when unable to do so because of physical or mental disabilities, at such time and place as authorized and under regulations issued by the Secretary of the Interior, and receive patent therefor.

133. Leave of Absence to Homestead Settlers During Year 1936. Public No. 527 (H.R. 9997) Approved April 20, 1936.

Authorizes leave of absence during 1936 to homestead settlers and entrymen - when necessary to seek employment in order to obtain necessaries of life. Periods of absence shall be added to statutory life of the entry.

Same provision is made for the year 1935 by Public No. 64 (S.1776) Approved May 22, 1935.

Immigration

134. Providing Means by Which Certain Filipinos Can Emigrate from the United States. Public No. 202 (H.R. 6464) Approved July 10, 1935.

$100,000 for transporting Filipinos to the Philippine Islands by the Department of Labor is provided by the Supplemental Appropriation Act, fiscal year 1936 (Public No. 440)

This Act is amended by Public No. 645 approved June 4, 1936 which extends the time for applying and receiving the benefits under Act, final dates being Dec. 1 and Dec. 31, 1937, respectively.

Indians

135. Oklahoma Indian General Welfare Act of 1935. Public No. 816 (S.2047) Approved June 26, 1936.

Makes provisions for welfare of Indians of Oklahoma (except Osage County), additional to benefits, etc., under the Wheeler Howard Indian Rights Act (Public No. 383, 73d Congress) of June 18, 1934. Authorizes the Secretary of the Interior to acquire by purchase, relinquishment, gift, exchange, or assignment, any interest in lands, water or surface rights, within or without Indian reservations, including trust or otherwise restricted lands now in Indian ownership, to be held in trust for Indians for agricultural and grazing purposes, free from taxes, except for a gross-production tax on oil and gas.

Provides that any 10 or more Indians may receive a charter from the Secretary as a local cooperative association, etc.

Authorizes appropriation of $2,000,000 for making of loans to individuals or associations, and for expenses of the cooperative associations organized pursuant to this Act.

International Conferences, Congresses, Etc.

136. To Aid in Defraying the Expenses of the Third Triennial Meeting of the Associated Country Women of the World, to Be Held in This Country in June 1936. Public No. 478 (S. 2664) Approved March 19, 1936.

House hearings held on bill (281.29 Un32)

Authorizes an appropriation of $10,000 to be expended under regulations of the Secretary of State. This appropriation of $10,000, to remain available until June 30, 1937, is provided by the First Deficiency Appropriation Act, fiscal year 1936 (Public No. 739)

137. Providing for Government Participation in California Pacific International Exposition at San Diego, California, in 1935 and 1936. Public Resolution No. 7 (H.J.Res. 94) Approved March 7, 1936.

Establishes the California Pacific International Exposition Commission, composed of the Secretaries of State, Agriculture, and Commerce, to represent the United States in connection with the holding of an international exposition at San Diego, California, in the year 1935, and continuing into 1936.

Creates the position of Federal Commissioner for the Exposition to be appointed by the President upon nomination of the Secretary of Agriculture of an official of his Department, to have charge of the preparation and management of exhibits by the executive departments and independent establishments illustrating the functions and administrative faculty of the Government in the advancement of industry, the arts, and peace, demonstrating the nature of our institutions, particularly as regards their adaptation to the wants of the people, etc.

Authorizes an appropriation of $350,000, which amount is appropriated, and made available until June 30, 1936, by the First Deficiency Appropriation Act, fiscal year 1935 (Public No. 21) approved March 21, 1935.

Articles imported from foreign countries for the purpose of exhibition at the exposition are permitted to be admitted without payment of tariff, by Public Resolution No. 12, approved April 8, 1935.

This Public Resolution is amended by Public No. 438 (H.R. 9871) approved Feb. 11, 1936, which continues the participation in the Exposition in 1936, and authorizes an additional appropriation of $75,000, which amount is provided in the Supplemental Appropriation Act, fiscal year 1936 (Public No. 440)

138. Participation By The United States In A Conference at Brussels to Revise the Convention for the Protection of Literary and Artistic Works Concluded at Bern, September 9, 1886, and Revised at Rome, June 2, 1928. Public Resolution No. 95 (H.J.Res. 569) Approved May 18, 1936.

Authorizes an appropriation of $6,500 to be expended under the direction of the Secretary of State, which appropriation, to remain available until June 30, 1937, is provided by the First Deficiency Appropriation Act, fiscal year 1936 (Public No. 739)

139. Observance of the One Hundred and Fiftieth Anniversary of the Formation of the Constitution of the United States. Public Resolution No. 53 (S.J.Res. 59) Approved August 23, 1935.

Establishes the United States Constitution Sesquicentennial Commission to be composed of 18 commissioners and to expire December 31, 1939. Authorizes an appropriation of $10,000 to defray expenses which amount is appropriated by the Supplemental Appropriation Act, fiscal year 1936 (Public No. 440)

The Commission is enabled to carry out and give effect to certain approved plans by Public Resolution No. 97 (H.J.Res. 525), approved June 1, 1936, including procuring "advice and assistance from any governmental agency, including the services of technical and other personnel in the executive departments and independent establishments," procuring advice and assistance from and cooperating with individuals and agencies, public or private.

Authorizes an appropriation of $200,000 which is provided by the First Deficiency Appropriation Act, fiscal year 1936 (Public No. 739).

140. Participation of The United States in the Great Lakes Exposition. Public Resolution No. 84 (S.J.Res. 233) Approved April 25, 1936.

Provides for participation of the United States in the Great Lakes Exposition to be held in Cleveland, Ohio, during the year 1936, dealing with industrial, agricultural, commercial, educational, and cultural progress of the 8 States bordering upon the Great Lakes, namely, New York, Pennsylvania, Ohio, Michigan, Indiana, Illinois, Wisconsin, and Minnesota.

Authorizes and requests the President to invite the Dominion of Canada to participate in such exposition. Established the United States Great Lakes Exposition Commission to be composed of the Secretaries of State, Agriculture and Commerce. Creates a United States Commissioner General for the Great Lakes Exposition and one assistant commissioner. Authorizes the heads of the various executive departments and independent offices and

establishments of the Government to cooperate with said Commissioner General in the procurement, installation, and display of exhibits, etc.

Authorizes the appropriation of $275,000 for the purposes of this joint resolution.

Public Resolution No. 94 (H.J.Res. 547) approved May 18, 1936, provides for the importation of articles free from tariff or customs duty for the purpose of exhibition at the exposition.

141. Participation by the United States in an Inter-American Conference to Be Held at Buenos Aires, Argentina, or at the Capital of Another American Republic, in 1936. Public Resolution No. 92(S.J.Res. 248) Approved May 15, 1936.

Authorizes an appropriation of $75,000 to be used for participation by the United States in an Inter-American Conference, in pursuance of and for the purposes set forth in a letter from the President of the United States, dated Jan. 30, 1936, to be expended under the direction of the Secretary of State, fiscal year 1936, to remain available until June 30, 1937. This appropriation is provided by the State, Justice, Commerce and Labor Departments Appropriation Act, fiscal year 1937 (Public No. 599)

142. Participation of the United States in the International Exposition of Paris - Art and Technique in Modern Life. Public Resolution No. 80 (H.J.Res. 305) Approved April 10, 1936.

Accepts the invitation of the Government of France to participate in the International Exposition of Paris, to be held at Paris, France, in 1937. Authorizes an appropriation of $50,000 to defray expenses of the Resolution which amount is provided by the First Deficiency Appropriation Act, fiscal year 1936 (Public No. 739), the amount to remain available until June 30, 1938.

Authorizes the heads of the various executive departments and independent offices and establishments of the Government "to assist the commissioner general and the commissioner in the procurement, installation, and display of exhibits", etc.

143. Requesting the President to Extend to the International Statistical Institute an Invitation to Hold its Twenty-Fourth Session in the United States in 1939. Public Resolution No. 46 (S. J. Res. 139) Approved August 9, 1935.

144. Participation by the United States in the Interparliamentary Union, Public No. 170 (S.2276) Approved June 28, 1935.

Authorizes an annual appropriation of $20,000, $10,000 of which shall be for the annual contribution of the United States toward the maintenance of the Bureau of the Interparliamentary Union for the promotion of international arbitration, and $10,000 for expenses of the American group.

$12,500 appropriated by the Second Deficiency Appropriation Act, fiscal year 1935 (Public No. 260)

145. Participation by Foreign Countries in the New York World's Fair 1939, Incorporated, in the City of New York During the Year 1939. Public Resolution No. 105 (S.J.Res. 267) Approved June 15, 1936.

Authorizes the President of the United States to invite foreign countries with a request that they participate therein, to the New York World's Fair, having for its purpose the celebration of the one hundred and fiftieth anniversary of the inauguration of the first President of the United States of America and of the establishment of the national government in the city of New York.

146. Permitting Articles Imported from Foreign Countries for the Purpose of Exhibition at the Pan American Exposition to Be Held in Tampa, Florida, to Be Admitted Without Payment of Tariff. Public Resolution No. 72 (H.J.Res. 356) Approved February 25, 1936.

Permits articles imported by the Florida Fair and Gasparilla Association for the purposes of exhibition at the Pan American Exposition to be held in Tampa, Florida, in 1939, to be admitted free of duty.

147. Membership of the United States in the Pan American Institute of Geography and History. Public Resolution No. 42 (H.J.Res. 182) Approved August 2, 1935.

Requests the President to extend an invitation to the Pan American Institute of Geography and History to hold its second general assembly in the United States in 1935. Authorizes an annual appropriation of $10,100 for payment of the quota of the United States, and $10,000 for expenses incurred by reason of the invitation.

$10,000 for the quota of the United States as a member and $7,000 for expenses of the second general assembly is appropriated by the Supplemental Appropriation Act, fiscal year 1936 (Public No. 440) and $10,000 is appropriated by the State, Justice, Commerce and Labor Departments Appropriation Act, fiscal year 1937 (Public No. 599).

148. Participation of Foreign Governments in the San Francisco Bay Exposition in 1939 at San Francisco, California. Public Resolution No. 107 (S.J.Res. 226) Approved June 15, 1936.

Authorizes the President of the United States to invite foreign countries, with a request that they participate therein, to the international exposition to be held at San Francisco "which has for its purpose the celebration of the completion of the San Francisco-Oakland Bridge and the Golden Gate Bridge, and which is designed to depict and exhibit the progress and accomplishments of the Pacific area of the United States in science, industry, business, transportation, and culture."

149. Providing for Government Participation in the Texas Centennial Exposition in 1935 and 1936. Public Resolution No. 37 (S.J.Res. 131) Approved June 28, 1935.

House hearings held on H.J.Res. 293 (310 Un35T)

Establishes the United States Texas Centennial Commission, composed of the Vice President and the Secretaries of State, Agriculture, and Commerce, to represent the United States in connection

with the holding of an exposition in Texas during 1935 and 1936. Creates the position of United States Commissioner General for the Exposition, and three assistant commissioners. Authorizes the heads of executive departments and independent establishments of the Government to cooperate with the Commissioner in the procurement, installation, and display of exhibits, and lend such exhibits as deemed of interest by the Commissioner. Authorizes an appropriation of $3,000,000, etc.

$3,000,000 authorized by the resolution is appropriated by the Second Deficiency Appropriation Act, fiscal year 1935 (Public No. 260)

The resolution is amended by Public Resolution No. 43, approved August 7, 1935, Public Resolution No. 45, approved August 8, 1935, and Public Resolution No. 69, approved February 11, 1936. Public Resolution No. 43 permits articles imported from foreign countries for the purpose of exhibition to be admitted without payment of tariff. Public Resolution No. 45 relates to salary and expenses of the commissioner general and staff. Public Resolution No. 69 relates to allocation of funds and disposition of property.

150. Third World Power Conference. Public Resolution No. 58 (H.J.Res. 350) Approved August 26, 1935.

Authorizes the President to extend an invitation to the World Power Conference to hold the Third World Power Conference in the United States in 1936 and 1937.

Authorizes an appropriation of $75,000 for expenses, which is provided by the Supplemental Appropriation Act, fiscal year 1936 (Public No. 440)

151. Participation by the United States in the 1936 Sixth World's Poultry Congress. Public Resolution No. 113 (S.J.Res. 235) Approved June 20, 1936.

Authorizes the Secretary of Agriculture to expend $25,000 from the unexpended funds of the Agricultural Adjustment Administration, "with a view to expanding the foreign demand for American-bred poultry through participation in the 1936 Sixth World's Poultry Congress, such funds to be used for staging a live-bird and educational exhibit and for the expenses of delegates of the United States to this conference."

Authorizes and requests the President to extend to the World's Poultry Science Association an invitation to hold the Seventh World's Poultry Congress in the United States in 1939, etc.

Labor

152. S.Res. 298 (Agreed to June 18, 1936): (Pope) [Authorizing and directing the Secretary of Labor to study, survey, and investigate the social and economic needs of laborers migrating across State lines, obtaining all facts possible in relation thereto...and shall report to the Senate, with recommendations for legislation.]

Labor Relations

153. Textile Work Assignment Boards.

The Cotton, Silk and Wool Textile Work Assignment Boards expired June 15, 1935 by reason of having completed the work for which they were established.

Executive Order No. 6930, Dec. 27, 1934, by authority of Title I of the National Industrial Recoevery Act and under Codes of Fair Competition for the cotton, silk, and wool textile industries, orders that these three boards shall not be required to present before January 1, 1934, "the recommendations provided for in Sec. 2 of the Executive Order No. 6878, dated October 16, 1934, but that such Boards shall submit such recommendations within a reasonable time after January 1, 1934, and in the meantime shall make to the Secretary of Labor monthly reports of their activities and progress."

Executive Order No. 6955-A, Feb. 1, 1935, by authority of Title I of the National Industrial Recovery Act, amends Executive Order No. 6877, so as to charge the Wool Textile Work Assignment Board with the responsibility of administering paragraph 2, of Sec. III, of the Wool Textile Code in accordance with the principles set forth in Executive Order No. 6877 until 30 days after the report of the Wool Textile Work Assignment Board is submitted to the President.

154. Amendment to National Employment Service Act. Public No. 54 (S.147) Approved May 10, 1935.

Amends Sec. 5(a) of the Wagner-Peyser Act of June 6, 1933, establishing public employment offices in the several States, by providing that in making the apportionments no State shall receive less than $10,000.

155. Textile Labor Relations Board.

Executive Order No. 7084, June 24, 1935, (as amended by Executive Order No. 7089, June 29, 1935), by authority of Title I of the National Industrial Recovery Act as amended by Public Resolution No. 26, continues in existence the Textile Labor Relations Board (created by Executive Order No. 6858, Sept. 26, 1934 and continued by Executive Order No. 7076, June 15, 1935), etc.

Executive Order No. 6906, Nov. 19, 1934 appointed Colonel Frank P. Douglas, of Oklahoma, a special commissioner and member of the Board vice James A. Mullenbach, of Illinois.

156. National Steel Labor Relations Board.

Executive Order No. 7085, June 24, 1935, (amended by Executive Order No. 7091, June 29, 1935) by authority of Title I of the National Industrial Recovery Act as amended by Public Resolution No. 26, further continues in existence the National Steel Labor Relations Board (created by Executive Order No. 6751, June 28, 1934, and continued by Executive Order No. 7076, June 15, 1935), etc.

157. National Labor Relations Board.

Reestablished and continued in existence until July 1, 1935, with its existing personnel, by Executive Order No. 7074, June 15, 1935 (by authority of Title I of the National Industrial Recovery Act as extended by Public Resolution No. 26) to exercise the same powers and functions prescribed in Executive Order No. 6763, June 29, 1934 (creating the Board insofar as such powers, etc. are authorized under the National Industrial Recovery Act as continued. Makes unexpended funds and appropriations heretofore allocated for use of the National Labor Relations Board available.

Extended to August 1, 1935 by Executive Order No. 7090, June 29, 1935, and to September 1, 1935 by Executive Order No. 7121, July 31, 1935.

Executive Order No. 6905, Nov. 15, 1934, appointed Francis I. Biddle, Chairman, vice Lloyd K. Garrison, resigned, and required that in appointing and retaining officers and employees, and in incurring financial obligations the Board shall act only with approval of the Secretary of Labor.

158. National Labor Relations Act (Wagner-Connery). Public No. 198 (S.1958) Approved July 5, 1935.

Senate Hearings held on bill (283 Un312N 3pts.)

House Hearings held on H.R. 6288 (283 Un3L)

Creates a new National Labor Relations Board of 3 members, appointed by the President with Senate consent, to promote equality of bargaining powers between employers and employees and to diminish the causes of labor disputes. This replaces the old National Labor Relations Board (created by Executive Order No. 6763, June 29, 1934, and reestablished by Executive Order No. 7074, June 15, 1935) which Board shall cease to exist upon the appointment of the 3 members of the new Board. The purpose of this Act is to clarify and make permanent Sec. 7a of the National Industrial Recovery Act as interpreted by the old Board.

Sec. 7. Provides that employees "shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection."

Sec. 8. Defines 5 unfair labor practices on the part of an employer: (1) Interfering with or coercing employees in collective bargaining; (2) dominating a labor organization or contributing to its financial support; (3) discriminating in employment with a view to encouraging or discouraging membership in a labor organization; (4) discharging an employee for filing charges under the Act; (5) refusing to bargain collectively with representatives of his employees.

Sec. 9. Relates to Representatives and Elections among other things providing that the Board shall decide in each case on the unit appropriate for purposes of collective bargaining, whether it shall be the employer unit, a craft unit, plant unit, or subdivision thereof.

Sec. 10. Relative to Prevention of Unfair Labor Practices empowers the Board to "prevent any person from engaging" in any of the five enumerated unfair labor practices, the power to be

unaffected by any other means of adjustment or prevention that "has been or may be established by agreement, code, law, or otherwise", and to take affirmative action if it is of the opinion that any person is engaging in any such unfair practice, including reinstatement of employees with or without back pay, etc. Provision is made for court enforcement of the Board's orders upon application of the Board, and for court review of the Board's orders on petition of "any person aggrieved by a final order."

Sec. 11. Gives the Board specific statutory authority to issue subpoenas to compel the attendance of witnesses and the production of evidence, and to obtain access to and the right to copy any evidence of any person being investigated or proceeded against, etc.

Sec. 12. Imposes a penalty of fine and imprisonment upon any person wilfully resisting or interfering with the Board or its agents in the performance of duties pursuant to the Act.

Sec. 13. Stipulates that nothing in the Act shall be "construed so as to interfere with or impede or diminish in any way the right to strike."

Sec. 14. Wherever the application of the provisions of this Act and the provisions of Sec. 7a, National Industrial Recovery Act, (Public No. 67, 73d Congress) as amended, of Sec. 77B, paragraphs l and m, of the Corporate Bankruptcy Act (Public No. 296, 73d Congress) or of the Labor Disputes Joint Resolution (Public Resolution No. 44, 73d Congress), conflict, this Act shall prevail, unless the provisions of this Act cannot be validly enforced, then the provisions of such other acts shall be effective.

Joseph Warren Madden, Pa., John Michael Carmody, N. Y., and Edwin S. Smith, Mass., National Labor Relations Board members.

$275,000 is appropriated for the National Labor Relations Board by the Supplemental Appropriation Act, fiscal year 1936 (Public No. 440) and an additional $65,000 by the First Deficiency Appropriation Act, fiscal year 1936 (Public No. 739).

159. International Labor Organization.

Second Deficiency Appropriation Act, fiscal year 1935 (Public No. 260, approved Aug. 12, 1935) appropriates $28,000 to the Department of the Interior (pp.19-20) and $27,300 to the Department of State (p.22) in connection with participation by the United States Government in the International Labor Organization, Geneva, Switzerland.

160. To Provide More Adequate Protection to Workmen and Laborers on Projects, etc., Belonging to the United States. Public No. 814 (H.R.12599) Approved June 25, 1936.

Grants to constituted State authorities power and authority to apply State workmen's compensation laws to all lands and premises, projects, etc., and property belonging to the United States within said States.

161. S.Res. 266 (Agreed to June 6, 1936):(LaFollette) [Authorizing and directing the Committee on Education and Labor to make an investigation of violations of the rights of free speech and assembly and undue interference with the right of labor to organize and bargain collectively, and to report to the Senate as soon as

practicable the results of its investigation, together with recommendations.]

Subcommittee appointed to carry on investigation consists of: Messrs. LaFollette, Murphy and Thomas.

162. S.Rept. 332: Relationship Between Employees and Contractors on Public Works. Preliminary report, March 15, 1935, Pt. 2, July 22, 1935, and supplementary report, August 24, 1935, pursuant to S. Res. 228, 73d Congress.

Labor-Saving Devices

163. H.Res. 49 (Agreed to June 20, 1936): (Palmisano) [Requiring the Secretary of Labor to (1) compile a list of labor-saving devices, mechanical and otherwise, such as automatic machinery, machinery in general, conveyors, speed-ups, efficiency methods eliminating loss of time and repetition of motions, monopolies, mergers of industries, and all other means adopted toward reducing the cost of production under our competitive system, put in operation in the United States after Dec. 31, 1920, which are still in use and being constantly improved; (2) estimate the number of persons in the United States unemployed by reason of the use of each kind or type of such devices; and report the findings to the House during the present or the next following Congress, together with pertinent and useful observations and recommendations.]

House hearings held on the resolution (283 Un3In)

Lands*

164. Sale of Property under Orders and Decrees of United States Courts. Public No. 41 (S. 1572) Approved April 24, 1935.

Amends the Act of March 3, 1893 regulating the manner in which property shall be sold under orders and decrees of any United States courts, to clarify existing law relative to public sales of property at less than 2/3 of appraised value. Permits a single sale of separate parcels of property located in different districts.

Sec. 3. Lays down rules for publication in newspapers of notices of proposed sales, reducing cost of advertising by making it possible to avoid the publication of long descriptions, and avoidance of duplicate advertising.

Public No. 153 (S. 2688) approved June 19, 1935 further amends the Act of March 3, 1893, as amended, by inserting before the period at the end of each section (sections 1, 2, and 3) the following: "or by receivers or conservators of banks appointed by the Comptroller of the Currency."

165. Leasing of Lands Acquired in Connection with International Boundary Commission Projects. Public No. 370 (H.R. 7927) Approved August 27, 1935.

Authorizes the Secretary of State to lease to citizens of the United States any land acquired under any Act, Executive order, or treaty in connection with projects constructed or administered by him, or sell the same at public auction, or by private sale,

* Land laws listed in Budget and Finance Circulars 14 and 26, with exception of a few of the more important ones, have been omitted. These relate principally to national forests. Other less important land laws have also been omitted.

or otherwise, at a price to be fixed by 3 disinterested appraisers. Such land which was donated may be reconveyed, without cost, to the grantor or his heirs. Disposal of such lands shall be subject to reservations in favor of the United States for rights-of-way for irrigation, etc., and may be conditioned upon and made subject to inclusion in any existing irrigation district in the vicinity thereof. Conveyances may be made to adjacent States, county, city, or other subdivision, without cost, for use for public purposes.

Authorizes the Secretary to issue revocable licenses for public or private use for irrigation or other structures or uses by the United States, across lands retained by the United States. The Secretary may cause the restoration or reconstruction of irrigation or water-supply structures, sanitary or sewage disposal works, or other structures or physical property belonging to any municipal or private corporation, company, association, or individual, or the construction of others in lieu thereof, or compensate owners to extent of reasonable value, whenever the construction of any project or works undertaken or administered by him through the International Boundary Commission, United States and Mexico, results in the interference with or necessitates such alteration or restoration.

166. To Authorize a Study of the Park, Parkway, and Recreational-Area Programs in the United States. Public No. 770 1/2 (H.R. 10104) Approved June 23, 1936.

Directs the National Park Service to make a comprehensive study (other than on lands under Department of Agriculture) of the park and recreational-area programs of the United States and of the several States and subdivision (with their consent), in order to provide data for development of coordinated and adequate park and recreational facilities for people of the United States. It is authorized to seek and accept cooperation and assistance of Federal departments or agencies, and States and subdivisions, to aid States and subdivisions in planning such areas, and in cooperating with one another to accomplish these ends. Gives consent of Congress to compacts or agreements between 2 or more States with reference to planning, establishing, etc., such areas or parks. Includes Hawaii, Alaska, Puerto Rico, the Virgin Islands, and the District of Columbia.

167. S.Res. 289 (Agreed to April 24, 1936): (Norris) [Requesting the Secretary of Agriculture to transmit to the Senate a report incorporating information on the original and present condition of the western range resource, the factors which have led to the present condition, and the social and economic importance of the range and its conservation to the West and to the entire United States, together with recommendations as to constructive measures.]

Response printed as S.Doc. 199: Report Relative to the Range Problem of the Western United States. April 29, 1936.

Arizona

168. Transferring Certain Public Lands to Mohave County, Arizona. Public No. 457 (H.R. 8172) Approved Feb. 27, 1936.
Authorizes and directs the Secretary of the Interior to patent to the county of Mohave, Arizona, all lands in sections 20, 28, and 30, township 20 north, range 15 west, Gila and Salt River meridian, for public park, recreational, and other municipal purposes.

California

169. Amending Public No. 425, 72d Congress, Providing for Selection of Certain Lands in State of California for California State Park System. Public No. 664 (H.R. 1997) Approved June 5, 1936.
Permits exchange of lands patented hereunder for privately owned lands in the area described by the Act of approximately equal value, etc.

170. Selection of Certain Lands in California for State Park Purposes. Public No. 838 (S. 4633) Approved June 29, 1936.
Permits State of California, within 5 years, to select all or any portion of the public land described in the Act for State park purposes. The Secretary of the Interior may set aside 42,000 acres of these lands, and transfer title to the State in consideration of the transfer by the State of complete title to lands owned by it within the area withdrawn by Executive Order No. 6361, Oct. 25, 1933.
Or the Secretary may patent lands selected by the State reserving mineral rights, providing for reversion to United States if land is not used for a period of more than one year for park purposes, and permits exchange for privately owned lands to consolidate park areas.

171. Selection of Certain Lands in California for State Park Purposes. Public No. 839 (S. 4634) Approved June 29, 1936.
Contains same provisions as Act above except described lands are in townships 9, 10 and 11, San Bernardino meridian, instead of townships 13 to 17. Does not include alternative provision providing for exchange of lands with the State, but contains provision not contained in the Act above, reserving use of the patented land to the United States and its permittees for flowage purposes.

172. Selling Certain Public Lands to the City of Los Angeles, California. Public No. 769 (H.R. 12033) Approved June 23, 1936.
Grants to the city of Los Angeles, all lands belonging to the United States situated in Mono County, California, which may be necessary, as found by the Secretary of the Interior, for right-of-way, buildings, and other purposes of the city. Payment shall be $1.25 per acre for all lands conveyed under the Act other than for the right-of-way for the Mono Basin project, and city may use, free of cost, from any lands, within limits determined by the Secretary, stone, earth, gravel, and other materials for use in construction, etc., of aqueducts, reservoirs, etc.

Lands situated within a national forest shall first be subject to the approval of the Secretary of Agriculture. Grants are made subject to previous rights-of-way, easements, etc.

173. Withdrawing Certain Public Lands from Settlement and Entry. Public No. 751 (H.R. 1397) Approved June 22, 1936.

Withdraws from settlement, location, sale, and entry under the public land laws of the United States, 320 acres of public lands in California for a local park, recreational purposes, and for securing favorable conditions of water flows subject to and with a reservation of the right of the United States to enter upon, occupy, and use such for purposes of the Federal Water Power Act, upon payment of damages to improvements made by the Board of Supervisors of Butte County, Calif. This Act shall not defeat or affect any lawful right which has already attached under the public land or mining laws. Reserves right of Secretary of Interior to restore lands to settlement, location, etc., when public interest would be best served.

Forest

174. State Forest Purchase Act. Public No. 395 (H.R. 6914) Approved August 29, 1935.

House Hearing held on bill (99.61 Un39Pr)

Sec. 1. Provides that for the purpose of stimulating the acquisition, development, and proper administration and management of State forests, the Secretary of Agriculture is authorized to enter into cooperative agreements with the States to acquire, by purchase or otherwise, such forest lands as the State is able to administer, develop, and manage in accordance with the provisions of this Act. Nothing herein shall be construed to modify, limit, or change the future ownership and administration by the United States of existing national forests, or hereafter to restrict or prevent their extension, or to limit or repeal legislation authorizing land exchanges, etc.

Sec. 2. Such cooperative agreements shall contain conditions providing that: (a) no additional lands shall be acquired by the United States after June 30, 1942, unless the State concerned has provided by law for reversion of title to the State, or unit thereof, of tax-delinquent lands and for blocking into State forests the areas more suitable for public than private ownership, and should be devoted primarily to timber production and/or for watershed protection, but prior to June 30, 1942, preference will be given to States which provide for such reversion; (b) the State shall provide for the employment of a trained and recognized State forester; (c) the Secretary and the State authorities shall work out a plan defining the forest areas which can be most effectively and economically administered; (d) purchases shall be subject to the approval of the National Forest Reservation Commission; (e) subject to the approval of the Commission, the Secretary is authorized to pay any due or accrued State, county, and/or town taxes on any forest lands acquired under donations and which are to be included in a State forest pursuant to this Act; (f) the State shall prepare such standards of forest administration, etc. as are acceptable to the Secretary and apply the same to lands acquired

under this Act; (g) the State shall pay for the entire future cost of administering, etc. the lands acquired under this Act (except for Federal expenditures for unemployment relief); (h) one-half of the gross proceeds from all lands covered by said agreement shall go towards repaying the Federal Government its purchase price and when the lands are fully paid for, title shall be transferred to the State; (i) agreements may be terminated under certain conditions and in such event, the United States shall reimburse the State for expenditures; (j) reports shall be made by the State to the Secretary covering operations under the agreement; and (k) when State, or unit thereof, acquires title to tax-delinquent lands without cost to the United States, the Secretary may contribute one-half the cost of administering, etc., such lands.

Sec. 3. Authorizes $5,000,000 and such sums as Congress may, from time to time, appropriate for purposes of this Act.

Grazing

175. To Amend Taylor Grazing Act. Public No. 827 (H.R. 10094) Approved June 26, 1936.

Amends the Taylor Grazing Act (Public No. 482, 73d Congress). Raises the total authorized acreage from 80,000,000 to 142,000,000 acres provided in Sec. 1 of the Act of June 28, 1934.

Amends Sec. 1 of the Taylor Grazing Act (Public No. 482, 73d Congress), by increasing the total area of grazing districts to be established, from 80,000,000 to 142,000,000 acres.

Sec. 2. Amends Sec. 7 of the Act so as to provide a more practicable method of classification of grazing lands and "to open such lands to entry, selection, or location for disposal in accordance with such classification under applicable public-land laws." Specifically authorizes the Secretary of the Interior "to examine and classify any lands withdrawn or reserved by Executive order of November 26, 1934 (numbered 6910), and amendments thereto, and Executive order of February 5, 1935 (numbered 6964)", in addition to lands within a grazing district.

Sec. 3. Amends Sec. 8 of the Act so as to make mandatory the exchange of lands upon the application of a State owning lands within a grazing district. Authorizes Secretary to patent to such State, land either of equal value or of equal acreage. Provides that no fees shall be charges for exchanges under the section, except one-half of the cost of publishing notice of a proposed exchange.

Sec. 4. Amends Sec. 10 of the Act to provide that fees received from leasing of individual tracts shall be disposed of in the same manner as fees received for permits, where the leased tract is in more than one State or county.

Sec. 5. Amends Sec. 15 of the Act so as to provide that occupants of contiguous lands shall be given preference to the extent necessary to permit proper use in leasing lands of lands which are not so situated as to justify inclusion in a grazing district, except that when such isolated or disconnected tracts embrace 760 acres or less, such occupants shall have a preference right to lease the whole of such tract, during a period of 90 days after it is offered for lease.

176. Executive Orders in Connection with Taylor Grazing Act.

Executive Order No. 6910, Nov. 26, 1934, orders "that all of the vacant, unreserved and unappropriated public land in the States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, and Wyoming be, and it hereby is temporarily withdrawn from settlement, location, sale or entry, and reserved for classification, and pending determination of the most useful purpose to which such land may be put in consideration of the provisions of" the Taylor Grazing Act, and "for conservation and development of natural resources."

This is amended by the following Executive Orders: No. 7098, July 12, 1935 (amended and partially revoked by No. 7182, Sept. 7, 1935); No. 7048, May 20, 1935; No. 7211, Oct. 24, 1935; and No. 7235, Nov. 26, 1935, (which permits sale under Sec. 14 and leasing under section 15 of Taylor Grazing Act, of any of these lands determined by the Secretary of Interior to be properly subject thereto and not needed for public purposes, etc.); No. 7274, Jan. 14, 1936 (which excludes from operation of Executive Order No. 6910 all lands which are now, or may hereafter be, included within grazing districts duly established pursuant to the provisions of Taylor Grazing Act, so long as they remain a part of such grazing district).

It is modified to the extent necessary to enable the Secretary of the Interior to withdraw certain described tracts of public land by following Executive Orders: No. 7256, Dec. 21, 1935 (for reclamation purposes); No. 7266, Jan. 4, 1936 (for use as a stock driveway in Wyoming); No. 7267, Jan. 6, 1936 (for use of Department of Commerce in maintenance of air-navigation facilities); No. 7270, Jan. 7, 1936 (for administration of Siskiyou National Forest, Oregon); No. 7289, Feb. 14, 1936 (for reclamation purposes in California).

Indian

177. Addition to the Rocky Boy Indian Reservation. Public No. 55 (S. 613) Approved May 14, 1935.

Adds approximately 557 acres of public-domain land in Montana to the Rocky Boy Indian Reservation and provides that rights and claims of bona fide settlers initiated under the public-land laws prior to Jan. 6, 1934, shall not be affected.

178. Addition to the School Reserve of the Jicarilla Indian Reservation, New Mexico. Public No. 721 (H.R. 12073) Approved June 20, 1935.

Sets aside certain described public-domain lands as an addition to the school reserve of the Jicarilla Indian Reservation, Dulce,

New Mexico. Provides said withdrawal shall not affect any valid rights initiated prior to approval hereof.

179. Reserving Public-Domain Land for Use and Benefit of the Kanosh Band of Indians of Utah. Public No. 155 (S.380) Approved June 25, 1935.
Reserves 80 acres herein described for the Kanosh Band of Indians of Utah and provides that rights and claims of bona fide settlers initiated under the public-land laws prior to approval of this Act shall not be affected.

180. Reserving Certain Public-Domain Lands in Nevada and Oregon as a Grazing Reserve for Indians of Fort McDermitt, Nevada. Public No. 419 (S. 1142) Approved Jan. 17, 1936.
Withdraws about 21,500 acres of public domain lands in Nevada and Oregon (herein described) for use and occupancy of Indians of the former Fort McDermitt Military Reserve, Nev. Rights and claims of bona fide settlers initiated under the public land laws prior to July 7, 1933 shall not be affected.

181. To Provide for the Leasing of Restricted Indian Lands of Indians of the Five Civilized Tribes in Oklahoma. Public No. 441 (S. 2148) Approved Feb. 11, 1936.
30 days after approval of Act restricted lands of Indians of Five Civilized Tribes in Oklahoma may be leased for periods of 5 years for farming and grazing purposes, etc.

182. Amending Act of May 10, 1928 Entitled "An Act to Extend the Period of Restriction in Lands of Certain Members of the Five Civilized Tribes," As Amended. Public No. 470 (S. 3227) Approved March 12, 1936.
Amends section 3 of the Act of May 10, 1928, as amended, authorizing taxation of minerals produced on Indian lands in Oklahoma by providing that such taxes due the State may be paid "in the manner provided by the statutes of the State."

183. To Relieve Restricted Indians Whose Lands Have Been Taxed or Have Been Lost by Failure to Pay Taxes. Public No. 716 (H.R. 7764) Approved June 20, 1936.
Authorizes appropriation of $25,000 for payment of taxes on (or redemption of) individually owned, restricted, Indian lands, heretofore purchased out of trust funds in the belief they would be nontaxable. Declares all such lands now held by Indians to be instrumentalities of the Federal Government and nontaxable until otherwise directed by Congress.

184. Addition to the Walker River Indian Reservation, Nevada. Public No. 748 (S. 3805) Approved June 22, 1936.
Authorizes the Secretary of the Interior to set aside 171,200 of the public-domain lands in townships 11-15 north, Nevada, as an addition to the Walker River Indian Reservation. Said withdrawal shall not affect any valid rights initiated prior to the approval hereof. The Secretary shall arrange to permit stock owned by others than Indians to cross the reservation at designated points. Revokes Executive Order of November 26, 1934, under Taylor Grazing Act of June 28, 1934 as to lands designated by Secretary.

Title to minerals is reserved to United States. The Paiute Indians of the Walker River Reservation shall be paid by mineral claimants for loss of improvements on, and an annual rental of not less than 5 cents per acre for loss of use or occupancy of, lands located or withdrawn for mining purposes.

Oregon

185. Authorizing the Purchase by the City of Scappoose, Oregon, of a certain Tract of Public Land. Public No. 767 (H.R. 9654) Approved June 23, 1936.

Authorizing the Secretary of the Interior to issue a patent to the city of Scappoose, Oregon for a certain described tract of land of approximately 80 acres revested in the United States by the Act of June 9, 1916 (39 Stat. 218). The city shall pay to the United States the appraised price for the timber on said lands, the money so paid to be deposited in the Oregon and California land-grant fund.

186. Conveying Certain Lands to Clackamas County, Oregon. Public No. 609 (H.R. 5058) Approved May 21, 1936.

Authorizing and directing the Secretary of the Interior to convey certain described lands, about 100 acres to Clackamas County, Oregon for public-park purposes.

187. Conveying Certain Lands to Clackamas County, Oregon. Public No. 760 (H.R. 9485) Approved June 22, 1936.

Authorizes the Secretary of the Interior to issue a patent to Clackamas County, Oregon, for approximately 120 described acres for public-park purposes, on condition that they shall revert to the United States if such county shall at any time cease to use such lands for public-park purposes. Clackamas County shall pay to the United States the appraised price for timber on said lands, the money so paid to be deposited in the Oregon and California land-grant fund.

188. Conveying Certain Lands to University of Oregon. Public No. 420 (S. 978) Approved Jan. 20, 1936.

Authorizes and directs Secretary of War to convey by quit-claim deed to the University of Oregon a certain described part of the Coos Head River and Harbor Reservation, Coos County, Oregon, conveyance to be made after the Civilian Conservation Corps has relinquished said land, etc.

189. To Provide for the Sale of a Certain Isolated Tract of the Public Domain in the State of Oregon. Public No. 819 (S. 4241) Approved June 26, 1936.

Provides for sale at public auction for not less than appraised value of lot 5, section 21, township 2 south range 3 east, Willamette meridian, Oregon, money from sale to be deposited in the Oregon and California land-grant fund.

Washington

190. Authorizing the Acquisition of Land on McNeil Island. Public No. 226 (S. 3059) Approved August 2, 1935.

Authorizes the Attorney General to acquire by condemnation proceedings that portion of McNeil Island not owned by United States, Gertrudie and Pitt Islands, Washington, at a total cost of $300,000.

National Parks and Monuments

191. Creating a National Park Trust Fund Board. Public No. 201 (S. 2074) Approved July 10, 1935.

Creates and establishes a National Park Trust Fund Board to consist of the Secretaries of the Treasury and Interior, Director of the National Park Service, and 2 persons appointed by the President for a term of 5 years each. Authorizes the Board to accept, receive, hold, and administer such gifts or bequests of personal property for the benefit of, or in connection with, the National Park Service, its activities, or its services, as may be approved by it. Gifts entailing expenditures must have consent of Congress.

192. To Provide for the Preservation of Historic American Sites, Buildings, Objects, and Antiquities of National Significance. Public No. 292 (S. 2073) Approved August 21, 1935.

Declares it to be a national policy to preserve for public use historic sites, buildings and objects of national significance, and empowers and authorizes the Secretary of the Interior to perform certain duties and functions in effectuating the policy of the Act. Among these he may acquire in the name of the United States by gift, purchase, or otherwise any property, personal or real, or any interest therein, but may not acquire, contract or agree to acquire such property if it will obligate the general fund of the Treasury, unless or until Congress has appropriated money for such purpose. Consent of owner must be obtained before acquiring property owned by any religious or educational institution, or which is owned or administered for the benefit of the public.

Establishes a general advisory board of 11 persons to be appointed by the Secretary to be known as the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments.

Authorizes the Secretary to cooperate with and seek the assistance of any Federal, State, or municipal department or agency, or any educational or scientific institution, or any patriotic association, or any individual. When deemed necessary, technical advisory committees may be established to act in an advisory capacity in connection with the restoration or reconstruction of any historic or prehistoric building or structure.

Authorizes appropriation of such sums as Congress may from time to time determine. The provisions of this Act shall control if any of them are in conflict with any other Act or Acts relating to the same subject matter.

193. S. Res. 102 (Agreed to July 30, 1935): (Wagner, Ashurst, Norbeck and Nye) [Authorizes the Committee on Public Lands and Surveys "to investigate the advisability of establishing certain additional national parks, and the proposed changes in, and boundary revisions of, certain other national parks."]

194. Addition to the Acadia National Park. Public No. 323 (H.R. 7938) Approved August 24, 1935.
Authorizes and directs the Secretary of the Navy to transfer to the control and jurisdiction of the Secretary of the Interior as an addition to the Acadia National Park all that tract of land of approximately 12 acres used for the purposes of the Otter Cliffs Radio Station on Mount Desert Island, Maine, etc.

195. Transfer of the Green Lake Fish Cultural Station to Acadia National Park. Public No. 85 (H.R. 6954) Approved May 29, 1935.
Authorizes and directs the Secretary of Commerce to transfer to control and jurisdiction of the Secretary of Interior 820 acres, more or less, comprising the abandoned Green Lake Fish Cultural Station, Hancock County, Maine, as an addition to the Acadia National Park.

196. Establishment of the Ackia Battleground National Monument, Miss. Public No. 362 (H.R. 3003) Approved August 27, 1935.
Authorizes the Secretary of the Interior to acquire, by purchase or by condemnation and/or accept by donation in behalf of the United States, such lands, easements, and buildings not exceeding 50 acres, to be set apart as a public monument known as the Ackia Battleground National Monument, by Presidential proclamation, after title is vested in the United States. Authorizes an appropriation of $15,000 to carry out the Act and places administration in the National Park Service.
$15,000 appropriated to carry out the provisions of the Act by the Supplemental Appropriation Act, fiscal year 1936 (Public 440).

197. Amending Act Establishing the Appomattox Court House National Historical Monument. Public No. 268 (H.R. 4507) Approved August 13, 1935.
Amends Sections 1, 2, and 3 of the Act of July 18, 1930 and adds Sec. 4 placing the administration, protection, and development under the National Park Service. Includes land, structures, and other property within 1 1/2 miles from the Appomattox Court House site. Authorizes an appropriation of $100,000 to carry out the provisions of this Act as amended hereby.

198. Extending Badlands National Monument. Title II, Public No. 827 (H.R. 10094) Approved June 26, 1936.
Extends boundaries of Badlands National Monument, established by Act of March 4, 1929, to include 250,000 acres of lands in South Dakota adjacent or contiguous thereto (including lands designated as submarginal by Resettlement Administration) to be determined by the President, by proclamation, within 5 years.

199. Establishment of the Big Bend National Park, Texas. Public No. 157 (S. 2131) Approved June 20, 1935.
Provides that Secretary of the Interior may determine lands

necessary for recreational park purposes within the boundaries to be determined by him with the area of approximately 1,500,000 acres, in the counties of Brewster and Presidio, Texas, and when title to such lands shall have been vested in the United States, which shall be secured by public and private donations, such lands shall be established, dedicated, and set apart as a public park to be known as the Big Bend National Park. No land for said park shall be accepted until exclusive jurisdiction over the entire area, in form satisfactory to the Secretary of the Interior, shall have been ceded by the State of Texas to the United States. The park shall be administered by the National Park Service, but the provisions of the Federal Water Power Act, of June 10, 1920, shall not apply to this park.

200. Additions of Lands to Colonial National Monument, Virginia. Public No. 666 (H.R. 5722) Approved June 3, 1936.

Authorizes the Secretary of the Interior to acquire by purchase, or donation desirable lands, easements, and buildings comprising the former Governor Berkeley's mansion and homestead and Carter's Grove mansion and homestead in James City County, and the Rosewell mansion and homestead in Gloucester County.

The area within the Colonial National Monument, together with additions, shall be known as the Colonial National Historical Park.

201. Everglades National Park, Florida

Executive Order No. 6883, Oct. 22, 1934, orders "that all of the unappropriated and unreserved public lands within the boundaries of the proposed Everglades National Park indicated on the diagram hereto annexed and forming a part hereof, be, and they are hereby, temporarily withdrawn from settlement, location, sale, or entry for classification for the proposed Everglades National Park."

Issued by authority of the Act of June 24, 1910 (36 Stat. 847) as amended by Act of August 24, 1912 (37 Stat. 497).

202. Establishing the Fort Frederica National Monument, at Saint Simon Island, Georgia. Public No. 617 (H.R. 8431) Approved May 26, 1936.

Sets apart 80 acres on the site of Fort Frederica, on Saint Simon Island, Georgia, as a national monument to be called Fort Frederica National Monument. The Secretary of the Interior may acquire out of donated funds, by purchase or by condemnation, such tracts of land as may be necessary for completion of the monument. Administration is placed in the National Park Service.

203. Adjusting Boundary of Fort Marion National Monument, Florida. Public No. 841 (H.R. 12220) Approved June 29, 1936.

Authorizes the Secretary of the Interior to adjust the boundary of the Fort Marion National Monument, Florida, in the vicinity of Fort Marion Circle, by conveyance of title to such portions no longer needed to adjacent property owners, upon terms satisfactory to him, or acceptance of title to other property in consideration therefor, acceptance of donations of land, buildings, etc., adjacent to and within a distance of 1,500 feet of the boundary of

the monument, donations of funds for purchase and maintenance, and by purchase of desirable adjacent tracts out of donated funds.

204. Extending the Fort Pulaski National Monument, Georgia. Public No. 829 (H.R. 11180) Approved June 26, 1936.

Extends Fort Pulaski National Monument on Cockspur Island, Ga., to include all lands now or formerly under jurisdiction of Secretary of War on said island and authorizes acceptance of lands, easements and improvements on McQueens and Tybee Islands, Chatham County, Ga., for further addition to such monument.

205. Establishing the Homestead National Monument, Gage County, Nebraska. Public No. 480 (S. 1307) Approved March 19, 1936.

Directs the Secretary of the Interior to acquire by gift, purchase, or condemnation, the original homestead entry of Daniel Freeman in Gage County, Nebr., (the first homestead entered under the General Homestead Act of 1862) and to develop and maintain it as the Homestead National Monument of America, to "perpetuate the history of the country developed by the homestead law." Authorizes $24,000 for acquiring the land, and necessary appropriations for development.

206. Extending Boundaries of the Hot Springs National Park, Arkansas. Public No. 684 (H.R. 9183) Approved June 15, 1936.

Extends boundaries to include certain described lands, to be acquired within funds already appropriated at a cost not exceeding $15,000.

207. Jefferson National Expansion Memorial, St. Louis, Mo.

Executive Order No. 7253, Dec. 21, 1935 (by authority of the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11)) allocates to the Secretary of the Interior from the funds available by the said Act the sum of $6,750,000, which, with the sum of $2,250,000 to be contributed by the City of St. Louis and accepted by the Secretary of the Interior under the authority of Public No. 292, will make available for the Jefferson National Expansion Memorial the total sum of $9,000,000, etc.

208. Creating the Kennesaw Mountain National Memorial Military Park, Georgia. Public No. 167 (H.R. 59) June 26, 1935.

Provides that the Secretary of the Interior shall designate lands, structures, and other property within the military battlefield and other areas of Civil War interest at and in the vicinity of Kennesaw Mountain in the State of Georgia, necessary or desirable for national battlefield park purposes, and such areas shall be established, dedicated, and set apart as a public park known as the Kennesaw Mountain National Battlefield Park, after title thereto shall have been vested in the United States. Authorizes the Secretary to accept donations of land, interests in land, buildings, structures, and other property, and may acquire by purchase such tracts of land necessary for completion of the park.

Places administration in the National Park Service and authorizes appropriation of $100,000.

$70,000 to carry out the Act is appropriated by the Second Deficiency Appropriation Act, fiscal year 1935 (Public No. 260).

209. Eliminating Certain Lands from the Craters of the Moon National Monument, Idaho. Public No. 668 (H.R. 7930) Approved June 5, 1936.

Elininates the north half and north half of the south half section 16, township 2 north, range 24 east, Boise meridian, Idaho.

210. Creating the Perry's Victory, and International Peace Memorial National Monument, Ohio. Public No. 631(S. 3118) Approved June 2, 1936.

Authorizes the President to establish a "Perry's Victory and International Peace Memorial National Monument upon Government lands in Put-in-Bay Township, Lake Erie, Ohio, including the Perry's Victory Memorial proper. The Secretary of the Interior may accept donations of lands or funds, and purchase or condemn, out of such funds, tracts necessary to complete the monument. Administration placed in National Park Service.

Continues the Perry's Victory Memorial Commission, established under act of March 3, 1919, as an advisory board, etc.

211. Establishment of the Richmond National Battlefield Park, Virginia. Public No. 464 (H.R. 1415) Approved March 2, 1936.

Establishes the Richmond National Battlefield Park under the National Park Service, to include present State-owned Richmond Battlefield Park and other areas, within 5 miles of such park or of Richmond city limits, designated by the Secretary of the Interior. Lands to be acquired by donation (or purchase or condemnation from donated funds). Authorizes donations for maintenance also.

212. Establishment of the Whitman National Monument. Public No. 840 (H.R. 7736) Approved June 29, 1936.

Authorizes and directs the Secretary of Interior to acquire by gift the Indian mission established on the Walla Walla River, Wash., in 1836, by Marcus Whitman and his wife, together with necessary additional land, to constitute the Whitman National Monument.

Authorizes necessary appropriations. Supervision, management, etc., placed in the National Park Service.

Liquor

213. Liquor Law Repeal and Enforcement Act. Public No. 347 (S. 3336) Approved August 27, 1935.

Repeals Titles I and II and amends Title II of the National Prohibition Act of Oct. 28, 1919. Repeals the Act of March 22, 1933 (Public No. 3, 73d Congress)

214. Federal Alcohol Control Act. Public No. 401 (H.R. 8870) Approved August 29, 1935.

Senate Hearings held on bill.

House Hearings held on H.R. 8001 (284.5 Un391A) and H.R. 8539 (390.1 Un35F)

Creates a Federal Alcohol Administration as a division in the Treasury to exercise control over the liquor traffic, to be headed by an Administrator to be appointed by the President with Senate consent. Abolishes the Federal Alcohol Control Administration created by Executive Order under the provisions of title I of the National Industrial Recovery Act, effective when the new Administrator takes office.

Permits the Administrator to utilize the services of any department or other agency of the Government, with the consent of the department or agency affected.

Requires importers of distilled spirits, wine, and malt beverages, and persons engaged in the business of distilling spirits, producing wine, rectifying or blending distilled spirits or wine, or bottling or warehousing and bottling distilled spirits to have a basic permit to engage in operations, effective 60 days after Administrator takes office.

Stipulates that basic permits shall be conditioned upon compliance with the requirements of Sec. 5 (relating to unfair competition and unlawful practices), of Sec. 6 (relating to bulk sales and bottling), with the 21st amendment and laws relating to its enforcement, and with all other Federal laws relating to distilled spirits, wine, and malt beverages.

Sec. 5 makes unlawful certain unfair competition and unlawful practices relative to "exclusive outlets", commercial bribery, consignment sales, labeling, advertising, etc. In the case of malt beverages the trade practices provisions and the requirements with respect to labeling and advertising are to apply only where States have similar requirements.

Sec. 6 makes unlawful all bulk distribution, that is in containers of more than 1 gallon capacity, except to distillers, rectifiers, operators of internal-revenue bonded warehouses or customs manipulation bonded warehouses, proprietors of industrial alcohol plants, and Federal and State agencies. Limits bottling to those persons named above who are entitled to receive bulk goods.

Amends the Revenue Act of 1918 so as to apply to citrus-fruit wines (except from lemons and limes) the provisions of internal-revenue laws applicable to "natural" grape wine. Permits the withdrawal of citrus-fruit brandy and use of it for the fortification of citrus-fruit wine, applying in such case the tax of 20 cents a proof gallon. Makes applicable the provisions of law relating to fortification of grape wines with grape brandy but limits the provision so that a citrus-fruit brandy may be used only for the fortification of a citrus-fruit wine produced from the same fruit, etc.

Strikes out the limitation on number of warehouses which Commissioner of Internal Revenue may establish in any one collection district for storage of fruit brandies and spirits, provides that they may be established adjacent to distilleries, and permits removal directly from distillery to warehouse and vice versa.

215. Public Resolution No. 73 (S.J.Res. 217) approved February 29, 1936 changes the effective date from March 1, 1936 to July 1, 1936 of Sec. 3 (c) requiring wholesale distributors of distilled spirits, wines, and malt beverages to have a basic permit to engage in operations. Also amends Sec. 5 (e) so as to change the date from

March 1, 1936 to August 15, 1936 in the case of distilled spirits, and to December 15, 1936, in the case of wine and malt beverages, after which bottlers or importers are required to have in their possession a certificate of label approval.

$180,000 for administering Public No. 401 (Item 214) is appropriated by the Supplemental Appropriation Act, fiscal year 1936 (Public No. 440).

216. Liquor Enforcement Act of 1936. Public No. 807 (H.R. 8368) Approved June 25, 1936.

Penalizes the importing, bringing, or transporting of any liquor into a State which prohibits all sales of liquor containing more than 4 percent of alcohol by volume, unless accompanied by permits or licenses required by State law, or if all such importation, etc. is prohibited by State law. State definitions of intoxicating liquor are to govern, and seizure and forfeiture is provided for.

Commits enforcement of Act, including Criminal Code sections to Secretary of Treasury.

Amends Sections 238-240 of the Criminal Code so as to penalize delivery, collection, or shipment without proper labeling in interstate commerce of compounds containing any liquor. Requires labels to show "quantity contained therein." In the case of delivery the penalty is a fine of not more than $5,000 or imprisonment for one year, or both; otherwise it is not more than $1,000, or imprisonment of 1 year, or both.

Repeals Sec. 5 of the Reed Amendment of March 3, 1917, as amended.

217. Liquor Tax Administration Act. Public No. 815 (H. R. 9185) Approved June 26, 1936.

House hearing held on H.R. 8001 (284.5 Un391A)

Senate hearing held on bill (284.5 Un37L)

House hearings held on H.R. 6131 (relating to taxation of distilled spirits) (284.5 Un37Td)

Amends the administrative provisions of law relating to collection of taxes upon distilled spirits, wines, and malt liquors.

Amends Revenue Act of 1918, as amended, relative to tax on wines, liquors, etc. Provides that tax imposed by Sec. 601 (c) (3) of the Revenue Act of 1932, as amended (relating to tax on grape concentrate, and so forth), shall not apply to any sale or importation after the date of enactment of this Act. Amends Sec. 203 of the Liquor Taxing Act of 1934, Sections 311 and 313 of the Tariff Act of 1930, Sections 5 (e) and 9 of the Federal Alcohol Administration Act and other laws. Repeals Sections 2 (b), (c), and (d) of the Federal Alcohol Administration Act.

Authorizes the Commissioner of Internal Revenue to establish Internal Revenue Bonded Warehouses.

Makes the Federal Alcohol Administration an independent establishment to be composed of 3 members, abolishing the office of Administrator, and conferring and imposing upon the Administration the rights, privileges, powers, and duties of the Administrator of the Federal Alcohol Administration.

Lobbying

218. S.Res. 165 (Agreed to July 11, 1935): (Black) [Authorizing and directing a committee of 5 Senators to make a full and complete investigation of all lobbying activities in connection with the so-called "holding company bill" and to report the result of its investigation, together with its recommendations]

Partial report pursuant to S.Res. 165 printed as H.Rept. 1272: Investigation of Lobbying Activities. August 14, 1935.

S.Res. 184 (Agreed to August 14, 1935): [Amending S.Res. 165 and conferring additional power and authority to investigate and report upon financial structure, corporate affiliations, interlocking stock ownerships and directorships and the financial relationships, stock transactions, capitalization, expenditures, and operations of such persons, companies, corporations, partnerships, and groups as have sought in any way to influence the passage or defeat of legislation, or to influence public contracts, activities, or concessions, and the political contributions and activities of such persons, etc.]

Senate hearings held pursuant to resolution (284 Un367 6 pts.)

Digest of data from the files of a Special Committee to Investigate Lobbying, pursuant to the resolutions. Part I. List of contributions. 1936. (Senate Committee Print)

219. H.Res. 288. (Agreed to July 8, 1935): [Authorizing and directing the Committee on Rules to investigate any and all charges or attempts to intimidate or influence Members of the House of Representatives with respect to the bill S. 2796 or any other bills effecting utility holding companies during the 74th Congress, etc.]

Report pursuant to resolution printed as H.Rept. 2081: Feb. 27, 1936.

House hearings held on resolution (284 Un342In pt. 1)

Money

220. The Gold-Clause Act. Public Resolution No. 63 (H.J.Res. 348) Approved August 27, 1935, six p.m., E.S.T.

House Hearings held on resolution (284 Un35G)

Senate Hearings held on S.J.Res. 155 (284 Un35Bo)

Provides that lawful holders of coins and currencies of the United States shall be entitled to exchange them, dollar for dollar, for other coins or currencies "which may be lawfully acquired and are legal tender for public and private debts" and that owners of gold-clause securities of the United States are entitled prior to Jan. 1, 1936, or prior to July 1, 1936 if the Secretary of the Treasury fixes a later date, at their election, to receive "immediate payment of the stated amount thereof with interest to the date of payment or to prior maturity or to prior redemption date, whichever is earlier."

As used in this resolution "gold clause" is defined as "a provision contained in or made with respect to an obligation which purports to give the obligee a right to require payment in gold, or in a particular kind of coin or currency of the United States,

or in an amount in money of the United States measured thereby, declared to be against public policy" by Public Resolution No. 10, approved June 5, 1933 (73d Congress).

Withdraws any consent which the United States may have given to the assertion against it of any right, privilege, or power whether by way of suit, counterclaim, set-off, recoupment, or other affirmative action or defense in its own name, or in the name of any of its officers or instrumentalities in any proceeding upon any (1) gold-clause securities of the United States or for interest thereon, or (2) coin or currency of the United States, or (3) claim or demand arising out of any surrender, seizure, requisition, or acquisition of any such coin or currency or of any gold or silver and "involving the effect or validity of any change in the metallic content of the dollar or other regulation of the value of money."

221. S.Doc. 21. Gold Clauses in Obligations. Opinions of the Supreme Court of the United States and the dissenting opinions in the cases questioning the validity of the joint resolution of Congress of June 5, 1933, with respect to the "Gold clauses" in obligations. February 1935.

Cases included are Norman v. Baltimore and Ohio Railroad (294 U.S. 240), Nortz v. U.S. (294 U.S. 317), Perry v. U.S. (294 U.S. 330) and U.S., et al., v. Bankers Trust Company and Wm. H. Bixbee, Trustees.

222. Orders of the President Relative to Gold and Silver.

Executive Order No. 6895-A, Nov. 2, 1934, amends Executive Order No. 6814, of Aug. 9, 1934, requiring the delivery of silver to the United States mints, under authority of Silver Purchase Act (Public No. 438, 73d Congress)

Proclamation of the President No. 2125, April 24, 1935, further modifies Proclamation No. 2067 of Dec. 21, 1933, as modified by Proclamations of Aug. 9, 1934 and April 10, 1935 (No. 2124) relative to coinage of silver (under authority of the Gold Reserve Act of 1934, Public No. 87, 73d Congress)

Proclamation of the President, No. 2153, Jan. 10, 1936, extends for one additional year from Jan. 30, 1936, the powers conferred by Sec. 10 of the Gold Reserve Act of 1934, and those specified in paragraph (b) (2) of Sec. 43, Title III of the Agricultural Adjustment Act of May 12, 1933 (Public No. 10, 73d Congress).

223. H.Doc. 232. Message from the President of the United States, transmitting a recommendation for legislation pertaining to right of holders of gold-clause Government bonds to sue for payment. June 27, 1935.

224. S.Res. 187 (Agreed to August 16, 1935): (Pittman) [Authorizing and directing a special committee of 5 Senators to confer with the Secretary of the Treasury relative to the administration, and the economic and commercial effect in the United States and abroad, of the Silver Purchase Act of 1934 (Public No. 438, 73d Congress) and to report to the Senate as soon as practicable the results of

its investigations together with recommendations.]

Messrs. Pittman, King, Thomas of Oklahoma, Borah and McNary were appointed members of this special committee.

Munitions

225. Investigation of the Munitions Industry.

S.Rept. 400. Preliminary report of the Select Committee on Investigation of the Munitions Industry, pursuant to S.Res. 206, 73d Congress, 2d session, and to S.Res. 8, 74th Congress. April 1, 1935.

S.Rept. 944. Munitions industry. Preliminary report of the Special Committee on Investigation of the Munitions Industry, United States Senate, pursuant to S.Res. 206 (73d Congress)... 7 parts. June 24, 1935-June 19, 1936.

National Archives

226. Providing for Printing and Distribution of Government Publications to the National Archives Establishment. Public No. 151 (H.R. 6836) Approved June 17, 1935.

Amends Printing Act of January 12, 1895 to provide that Public Printer shall deliver 2 copies each of certain enumerated publications to The National Archives including all documents not bearing a congressional number printed by order of any department, bureau, independent commission, or officer of the Government except confidential matter, blank forms, and circular letters not of a public character.

227. Amending the Act Authorizing Collection and Editing of Official Papers of the Territories of the United States Now in the National Archives. Public No. 447 (S. 3447) Approved Feb. 14, 1936.

Makes certain amendments in connection with distribution of territorial archives published under authority of act of March 3, 1925. Provides for distribution by Superintendent of Documents, instead of State Department. Copies are authorized for the Vice President, Delegates, and Resident Commissioners, nondepository historical associations, etc., in insular possessions, and residue of 1,227 copies to Department of State. In addition there shall be furnished to the Library of Congress 150 copies, and copies to depository libraries which make written application, and the "usual number" shall not be printed. Nondepository historical associations, etc. (not exceeding 8 in each State, Territory, or insular possession) shall, during their existence, receive the succeeding volumes.

228. Amending the Act Establishing the National Archives of the United States Government. Public No. 756 (H.R. 12410) Approved June 22, 1936.

Amends Sec. 8 of Public No. 432, 73d Congress by authorizing the Archivist to make or reproduce and furnish authenticated or unauthenticated copies of any of the documentary, photographic or other archives or records in his custody that are not exempt from examination as confidential or protected by subsisting copyright.

He may charge a fee to cover cost of expenses thereof, except that there shall be no charge to any department or other agency of the Government for official use. When such copy or reproduction is authenticated it shall be admitted in evidence equally with the original.

229. Federal Register Act. Public No. 220 (H.R. 6323) Approved July 26, 1935.

Provides for establishment of a Division in the National Archives Establishment charged with the custody, and, together with the Public Printer, with the prompt and uniform printing and distribution in a serial publication designated as the "Federal Register" of the following: "(1) all Presidential proclamations and Executive orders, except such as have no general applicability and legal effect or are effective only against Federal agencies or persons in their capacity as officers, agents, or employees thereof; (2) such documents or classes of documents as the President shall determine from time to time have general applicability and legal effect; and (3) such documents or classes of documents as may be required to be published by Act of Congress."

Requires original and two duplicates or certified copies of documents required or authorized to be published to be filed with the Division by Federal agencies, and to be available for public inspection.

Established a permanent Administrative Committee of three members: Archivist, as chairman, an officer of the Department of Justice, designated by the Attorney General, and the Public Printer, to prescribe regulations for carrying out the provisions of the Act. The Federal Register may publish such other documents as are authorized to be published by this Committee but "in no case shall comments or news items of any character whatsoever be authorized to be published."

The contents of the Federal Register are required to be judicially noticed, and publication of any document therein creates a rebuttable presumption that it was duly issued, prescribed, or promulgated, filed, made available to the public, and is a true copy of the original. Citations may be made by volume and page.

Provisions of the Act are to become effective 60 days after the approval of the Act, and the publication of the Federal Register to begin 3 business days thereafter, dependent, however, upon the increase before that time of the appropriations involved to the extent necessary to carry out the provisions of the Act.

Within 6 months after the approval of the Act "each agency shall prepare and file with the committee a complete compilation of all documents which have been issued or promulgated prior to the date documents are required or authorized by this Act to be published in the Federal Register and which are still in force and effect and relied upon by the agency as authority for, or invoked or used by it in the discharge of, any of its functions or activities." The Committee shall report on the compilation to the President, who shall determine which parts are of general application and legal effect, and authorize publication of such parts in a special or supplemental edition of the Register.

Major Bernard R. Kennedy, Director of the Division of the Federal Register, and Secretary of the Administrative Committee.

230. Regulations Governing the Preparation, Filing, and Distribution of Executive Orders and Proclamations, effective March 12, 1936.

Executive Order No. 7298, Feb. 18, 1936. Supersedes Executive Order No. 6247, August 10, 1933.

Summary of regulations follows: A proposed order or proclamation shall be provided with a suitable title, and the authority under which promulgated shall be cited in the body thereof. It shall be transmitted to the Director of the Bureau of the Budget and if approved by him to the Attorney General for consideration as to form and legality. If the Attorney General approves it, he shall transmit it to the Director of the Division of the Federal Register, who, if it conforms to prescribed technical requirements, shall transmit it to the President.

After signature, "The Division of the Federal Register shall number and shall supervise the promulgation, publication, and distribution of all Executive orders and proclamations," and shall file the originals in the National Archives. The signed originals and copies of all orders and proclamations heretofore promulgated, and now in the Department of State, shall be transferred to the National Archives. "Nothing in this order shall be construed to apply to treaties, conventions, protocols, and other international agreements, or proclamations thereof by the President."

National Economic Council

231. S.Res. 114 (Agreed to Aug. 24, 1935): (Bulkley) [Authorizes and directs the Committee on Manufactures to investigate the desirability of establishing a national economic council and to make recommendations with respect to the functions and duties which might be assigned to such council.]

National Emergency Council

232. National Emergency Council.

Reestablished by Executive Order No. 7073, June 13, 1935 (by authority of the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11) to take effect at close of business of June 15, 1935.

Authorized to perform duties and functions of existing National Emergency Council not inconsistent with the provisions of the Emergency Relief Appropriation Act of 1935, and such additional duties and functions as may from time to time be assigned to it by the President.

Lyle T. Alverson, Acting Executive Director, National Emergency Council, vice Frank C. Walker, resigned. Frank C. Walker was appointed Executive Director by Executive Order No. 7024-A, April 24, 1935, which also prescribed his functions and duties.

National Industrial Recovery

233. National Industrial Recovery Act. (Public No. 67, 73d Congress)
Title I, except Sec. 9, provisions relating to codes of fair competition authorized to be approved by the President in his discretion "to effectuate the policy" of this Act, held unconstitutional by the Supreme Court of the United States, May 27, 1935, in the cases of A.L.A. Schechter Poultry Corporation, et al v. U.S., involving the question of the "Live Poultry Code", promulgated under the Act. Opinion of the Supreme Court, together with concurring opinions of Justices Cardoza and Stone printed as S.Doc. 65 under title: Invalidity of N.R.A. Codes. Also to be found in (1295 U.S. 495)
Recommendation of the President of the United States that the National Industrial Recovery Act be extended for 2 years printed as H.Doc. 105. Feb. 20, 1935.

234. N.R.A. Extension Act. Public Resolution No. 26 (S.J.Res. 113) Approved June 14, 1935.
House Hearings held on joint resolution (286 Un393Ex)
Sec. 1. Extends until April 1, 1936 the provisions of Title I of the National Industrial Recovery Act (Public No. 67, 73d Congress) and of the agencies established thereunder.
Sec. 2. Repeals all provisions of Title I delegating power to the President to approve or prescribe codes of fair competition and providing for the enforcement of such codes: Provided that exemption from the operations of the antitrust laws, authorized by Sec. 5 of such Act shall extend only to agreements and actions thereunder (1) putting into effect the requirements of Sec. 7a (relating to collective bargaining of employees), including minimum wages, maximum hours, and prohibition of child labor; and (2) prohibiting unfair competitive practices which offend against existing law, including the antitrust laws, or which constitute unfair methods of competition under the Federal Trade Commission Act, as amended.

235. Created by Executive Order No. 7075, June 15, 1935.
Office of Administrator of the National Recovery Administration is created to administer the provisions of Title I of the National Industrial Recovery Act as amended by Public Resolution No. 26 and may "exercise all of those powers heretofore conferred by Executive Order upon the National Industrial Recovery Board, subject to the limitations upon such powers contained in" Public Resolution No. 26 and to the further provisions of this Executive Order (No. 7075).
Establishes the Division of Review to assemble, analyze, and report upon the statistical information and records of experience of the operations of the various trades and industries heretofore subject to codes of fair competition, to study the effects of such codes upon trade, industrial and labor conditions in general, and other related matters, to make available for the protection and promotion of the public interest an adequate review of the effects of the administration of Title I of the National Industrial Recovery Act, and the principles and policies put into effect thereunder, and to otherwise aid the President in carrying out his functions under the said Title. Appoints Leon C. Marshall,

Director of the Division of Review.

Establishes the Division of Business Cooperation to aid in the voluntary maintenance by trade and industrial groups of standards of fair competition, in the elimination of unfair competition in the employment of labor or in trade practices, and in maintaining sources of information and records of experience useful in the work of the Division of Review, and to otherwise assist in effectuating, so far as possible, the policies of the National Industrial Recovery Act, as amended. Appoints Prentiss L. Coonley, Director of the Division of Business Cooperation.

All the officers appointed by this Order shall serve under the direction of the President. The "Administrator shall proceed forthwith to reduce as rapidly as possible the number of persons now employed in the administration of Title I of the National Industrial Recovery Act to the number necessary to perform the duties of said Administration as herein, or hereafter, prescribed," etc.

Appoints George L. Berry, Assistant to the Administrator, to represent labor.

Establishes an Advisory Council in aid of the National Recovery Administration. Appoints the following members: Charles Edison, Howell Cheney, Philip Murray, William Green, Emily Newell Blair, and Walton H. Hamilton.

Terminates the National Industrial Recovery Board, which was created by Executive Order No. 6859, Sept. 27, 1934, and reconstituted by Executive Order No. 6993, March 21, 1935, by authority of the National Industrial Recovery Act.

Laurence J. Martin, appointed Acting Administrator of the National Recovery Administration (vice James L. O'Neill, resigned) by Executive Order No. 7159, Aug. 24, 1935.

236. Executive Orders Relating to National Industrial Recovery Act.

Executive Order No. 7076, June 15, 1935 (by authority of the National Industrial Recovery Act as extended by Public Resolution No. 26)

Orders "that all existing Executive Orders heretofore issued under and by virtue of the authority vested in me by Title I of the National Industrial Recovery Act be, and they are, hereby amended so as to continue them in effect and to extend their operation, and also to extend the authority and activities of any agency created thereunder until April 1, 1936, so far as consistent with the provisions of the National Industrial Recovery Act as amended and extended, subject, however, to any limitation, modification, or cancellation the President may hereafter make by Executive Order: Provided, however, that this order shall not be construed as an exercise by the President of any authority, or as authorizing any person or agency acting under authority conferred by the President, to approve or prescribe codes of fair competition, to provide for the enforcement of such codes, or to take any other action not authorized by the provisions of the said Title I of the National Industrial Recovery Act as amended."

237. Consumers' Agencies.

Executive Order No. 7120, July 30, 1935. (By authority of the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11) and Title I of the National Industrial Recovery Act, as amended by Public Resolution No. 26)

Sec. 1. Orders Office of Adviser on Consumers' Problems re-created and Adviser shall be a member of the National Emergency Council. Appoints Walton H. Hamilton. Functions terminated by Executive Order No. 7252, Dec. 21, 1935.

Sec. 2. Establishes a Consumers' Division within the National Recovery Administration, the function and purpose of which shall be "to stimulate interest in the problems of the consumer, to review public policy in so far as it relates to the consumer, and in general to suggest ways and means to promote larger and more economical production of useful goods and facilitate the maintenance and betterment of the American standard of living." The Director, Walton H. Hamilton (hereby appointed)"shall further define objectives, plan a program of activities including research and the dissemination of information, choose a technical and administrative staff, and subject to the approval of the Administrator of the National Recovery Administration, supervise the activities of the Division."

Sec. 3. Transfers functions of the following organizations to the Consumers' Division of the National Recovery Administration (together with their records): Consumers' Advisory Board of the National Recovery Administration, the Consumers' Division of the National Emergency Council (including supervision of work of the Consumers' County Councils), and the Cabinet Committee on Price Policy.

Sec. 4. Authorizes the Director to select persons from staffs of above organizations for positions in Consumers' Division, and to select an Advisory Board or Boards, etc.

238. Delegating Authority to the Federal Trade Commission.

Executive Order No. 7192, Sept. 26, 1935 (by authority of Sec. 2 (a) and (b) of Title I of the National Industrial Recovery Act, extended by Public Resolution No. 26) delegates to the Federal Trade Commission all authority vested in the President by said Act as extended "to approve such trade practice provisions as are permitted by clause numbered 2 of the proviso of Sec. 2 of said Joint Resolution and submitted in voluntary agreements pursuant to Sec. 4 (a) of said Title of said Act: Provided, that such approval shall not be given by the Federal Trade Commission unless such agreements contain labor provisions putting into effect the requirements of Sec. 7 (a) of the said National Industrial Recovery Act and after labor provisions have received" the approval of the President.

239. National Industrial Recovery Administration.

Terminated by Executive Order No. 7252, Dec. 21, 1935, effective Jan. 1, 1936, issued under authority of Title I of the National Industrial Recovery Act, as amended by the N.R.A. Extension Act (Public Resolution No. 26.)

Transfers the Division of Review, the Division of Business Cooperation, and the Advisory Council, as constituted by Executive Order No. 7075, of June 15, 1935, together with officers and employees, files, records, equipment, and property of every kind, to the Department of Commerce, and authorizes and directs the Secretary of Commerce to terminate the functions and duties of the said agencies not later than April 1, 1936.

Transfers the Consumers' Division of the National Recovery Administration (established by Executive Order No. 7120, July 30, 1935), together with officers and employees, files, records, equipment, and property of every kind, to the Department of Labor.

The Secretaries are "authorized and directed, under the general direction of the President, to appoint, employ, discharge, and fix the compensation and define the duties and direct the conduct of all officers and employees engaged in the administration of the agencies transferred by this Order...to exercise and perform in connection with the said agencies, the functions and duties now exercised and performed, or authorized to be exercised and performed, by the National Recovery Administration, [and] to report to the President on all matters relating thereto."

On March 21, 1936, the President, by Executive Order No. 7323, created the Committee on Industrial Analysis, with the Secretary of Commerce as Chairman, to complete the work of the Advisory Council, the Division of Business Cooperation, and the Division of Review, effective April 1, 1936.

240. Claims of Contractors.

$700,000 is appropriated for payment of claims for relief of contractors, by the Secretary of the Treasury, under the provisions of Act of June 16, 1934 (Public No. 369, 73d Congress) for costs of performance increased as a result of compliance with the National Industrial Recovery Act, on p. 26 of the Second Deficiency Appropriation Act, fiscal year 1935 (Public No. 260)

241. Committee of Industrial Analysis.

Executive Order No. 7323, March 21, 1936 (by authority of the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11)) creates a Committee of Industrial Analysis to complete the summary of the results and accomplishments of the National Recovery Administration, with the Secretary of Commerce (Chairman) and the Secretaries of Agriculture and Labor, and such other persons, not now officers of the United States, as the President may hereafter appoint.

The entire Committee shall

"(a) Assemble and analyze the statistical information and governmental records of experience of the operations of the various trades and industries heretofore subject to codes of fair competition formulated under authority of Title I of the National Industrial Recovery Act (48 Stat. 195); and

"(b) Study the effects of such codes upon trade, industrial and labor conditions in general; and

"(c) Make generally available information with respect to industry, particularly hours, wages, child labor and other labor conditions." Order does not authorize Committee to collect from the general public current statistical information, or to duplicate the statistical work now being performed by any existing agency of Government.

Those members of the Committee to be appointed hereafter specially "shall prepare for the President an adequate and final review of the effects of the administration of Title I of the National Industrial Recovery Act upon particular industries or problems and as a whole."

Creates in connection with the office of the Secretary of Commerce, a Division of Industrial Economics, subject to the general supervision of the Committee of Industrial Analysis and shall assist such Committee in carrying out its functions. This is to furnish employment for and assistance to educational, professional and clerical persons.

Gives the Committee certain authority to appoint personnel, supervise expenditure of $10,000 transferred by the President to the Department of Commerce from funds available under the Emergency Relief Appropriation Act of 1935, and utilize certain services and space of the Department of Commerce.

Makes files, records, equipment and property transferred to the Department of Commerce from the National Recovery Administration available, and employees transferred thereto eligible for, but not automatically entitled to, employment under this Order. Effective April 1, 1936.

242. S.Res. 79 (Agreed to Feb. 28, 1935): (Nye) [Investigation of administration of codes under the N.R.A.]

Senate hearings held pursuant to the resolution (286 Un365 4 vol.)

Naval Stores

243. Naval Stores Act. Public No. 278 (S. 1811). Approved August 14, 1935.

Authorizes and directs the Secretary of Agriculture to "collect and/or compile and publish annually, and at such other times, and in such form and on such date or dates as he shall prescribe, statistics and essential information relating to spirits of turpentine and rosin produced, held, and used in the domestic and foreign commerce of the United States."

Neutrality

244. The Neutrality Act. Public No. 67 (S.J.Res. 173) Approved August 31, 1934. As Amended By Public Resolution No. 74 (H.J.Res. 491) approved February 29, 1936.

House hearings held on H.R. 8788, To control the trade in arms, ammunition, and implements of war.

House hearings held on H.J.Res. 422 (280.12 Un394)

Also referred to as the arms embargo resolution, this Resolution as amended provides that:

Sec. 1. Whenever the President shall find there exists a state of war between or among two or more foreign states, he shall proclaim such fact and thereafter it shall be unlawful to export arms,

ammunition, or implements of war from any place in the United States or its possessions to any port of a belligerent state or to any neutral port for trans-shipment to a belligerent state. He shall, by proclamation, definitely enumerate the arms, ammunition, and implements of war the export of which is prohibited by the resolution, and extend the embargo "to other states as and when they may become involved in such war."

Violations of this section are punishable by $10,000 fine or not more than 5 years' imprisonment, or both, and forfeiture of any arms, etc., seized by the Government. "Except with respect to prosecutions committed or forfeitures incurred prior to May 1, 1937, this section and all proclamations issued thereunder shall not be effective after May 1, 1937."

Sec. 1a. Makes it unlawful during the period of the war for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any belligerent country, or any political subdivision thereof, or of any person acting for or on behalf of such government, issued after the date of Presidential proclamation, or to make any loan or extend any credit to any such government or person. The President may except "ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peace-time commercial transactions", to such extent and under such regulations as he may prescribe, if he finds that such action will serve to protect the commercial or other interests of the U. S. These provisions shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of the President's proclamation. Violations of this section are punishable by fine of not more than $50,000 or imprisonment for not more than 5 years, or both, each participating officer or agent of a corporation, organization, or association being liable. The provisions of this section or any regulations thereunder shall cease to apply when the President revokes his proclamation as provided for in Sec. 1.

Sec. 1b. This Act shall not apply to an American republic or republics engaged in war against a non-American state or states, provided the American republic is not cooperating with a non-American state or states in such war.

Sec. 2. Creates a National Munitions Control Board consisting of the Secretary of State, as chairman and executive officer of the Board, and the Secretaries of Treasury, War, Navy, and Commerce. Administration of the Act is vested in the Department of State.

Requires every person engaged in manufacturing, exporting, or importing arms, etc., to register with the Secretary of State, within 90 days after the effective date of the Act, his name, business name, address, and a list of the articles he manufactures, exports or imports, and to notify the Secretary of State of any change in the articles he handles. He shall pay a fee of $500 and receive a registration certificate valid for a period of 5 years, renewable for a further period of 5 years upon payment of each renewal fee of $500.

Requires any persons registering to maintain, subject to the inspection of the Board, such permanent records of manufacture for export, importation and exportation of arms, etc., as the Board shall prescribe, and prohibits the United States Government from purchasing from any unregistered manufacturer.

The President is authorized to proclaim, from time to time, a list of the articles which shall be considered arms, ammunition, and implements of war for the purposes of this section.

The Board shall make an annual report to Congress.

The section shall take effect 90 days after enactment.

Sec. 3. Whenever the President shall issue a proclamation, as provided in Sec. 1, it shall be unlawful for any American vessel to carry arms, etc., to a port of a belligerent country, or to a neutral port for transshipment to a belligerent country under penalties of $10,000 fine or not more than 5 years' imprisonment, or both, and forfeiture of munitions and vessel.

Sec. 4. Whenever the President has cause to believe any vessel, domestic or foreign, is about to carry out of an American port, men, fuel, arms, etc., or other supplies to a warship, tender, or supply ship of a foreign belligerent nation, and he deems advisable, he shall require the master, owner, or person in command of the vessel to give bond, with sufficient sureties, that it will not deliver the men, or the cargo, and if it is found that such a vessel has previously cleared from such a port during such war and delivered its cargo, he may prohibit the departure of such vessel during the duration of the war.

Sections 5 and 6. Whenever, during any war in which the United States is neutral, and the President deems advisable, he shall by proclamation, prohibit entry into American ports of foreign submarines except under certain conditions and shall declare that American citizens traveling on vessels of a belligerent nation do so at their own risk, unless in accordance with such rules and regulations as the President shall prescribe.

Sec. 7. In case of violations under the Act where specific penalties are not provided the penalty shall be a fine of not more than $10,000 or imprisonment of not more than 5 years, or both.

Sec. 9. Authorizes appropriations from time to time to carry out provisions of the Resolution.

The establishment of an Office of Arms and Munitions Control to carry out the provisions of the Act was announced by the State Department on September 21, 1935. Under the direction of R. Walton Moore, Assistant Secretary, with Joseph C. Green as Chief.

Proclamation of the President No. 2138, Sept. 25, 1935, enumerated articles which shall be considered arms, ammunition, and implements of war for the purposes of Sec. 2 of the Act. This list is revised in several particulars by Proclamation of the President No. 2163, Apr. 10, 1936, effective June 1, 1936.

$25,000 for expenses of administering Public Resolution No. 67 is provided by the Supplemental Appropriation Act, 1936 (Public No. 440)

Oils. Taxation

245. Amendments to Taxes on Certain Oils. Title V, Revenue Act of 1936. Public No. 740 (H.R. 12395) Approved June 22, 1936.

Sec. 701. Amends Sec. 601 (c) (8) of the Revenue Act of 1932, as amended, to provide following rates of tax per pound on certain oils:

3 cents on whale (except sperm), fish (except cod, cod-liver, and halibut-liver), and marine-animal oils, tallow, and inedible animal, (oils, fats and greases), fatty acids derived from and salts of any of the foregoing; etc.

4 1/2 cents on sesame (provided in paragraph 1732, Tariff Act of 1930), sunflower, rapeseed, kapok, hempseed, and perilla oils, fatty acids derived from any of the foregoing or from linseed oil, and salts of any of the foregoing; etc.

Rate equal to that proportion of the rate or rates prescribed in this paragraph or in Sec. 602 1/2 in respect of such products which the quantity by weight of the imported article, merchandise, or combination, consisting of or derived from such products bears to the total weight of the imported article, etc., on any article, merchandise, or combination (except oils specified in Sec. 602 1/2 of the Revenue Act of 1934, as amended), 10 percent or more of the quantity by weight of which consists of, or is derived directly or indirectly from, one or more of the products specified in this paragraph or in Sec. 602 1/2 of the Revenue Act of 1934.

2 cents on hempseed, perilla seed, rapeseed, sesame seed, and kapok seed.

Sec. 702 (a) Amends Sec. 602 1/2 of the Revenue Act of 1934, as amended, to provide a tax of 3 cents per pound upon the first domestic processing of coconut, palm and palm-kernel oils, fatty acids derived from or salts of any of the foregoing...or any combination containing a substantial quantity of any one or more of these. Tax under this section shall not apply (1) with respect to any fatty acid or salt resulting from a previous first domestic processing taxed under this section or upon which an import tax has been paid under Sec. 601 (c) (8) of the Revenue Act of 1932, as amended, or (2) with respect to any combination or mixture containing such an oil, fatty acid, or salt.

(b) Notwithstanding the provisions of subsection (a) the first domestic processing of sunflower or sesame oils (or any combination or mixture containing a substantial quantity of such) shall be taxed in accordance with the provisions of Sec. 602 1/2 of the Revenue Act of 1934 in force on date of enactment of this Act, if imported prior to the effective date of this title.

Sec. 703. Repeals Sec. 402 of the Revenue Act of 1935 and provides that all taxes accrued or paid under that section on importation of glycerin or stearine pitch shall be remitted or refunded. Sec. 601 (c) (8) of the Revenue Act of 1932, as amended, does not impose a tax in contravention of an obligation undertaken in any trade agreement heretofore entered into, or does not impose a tax on importation of glycerin or stearine pitch or any article by reason of any component of such article derived directly or indirectly from a waste not named in such section.

Sec. 704. Makes title effective on and after 60th day following date of enactment of Act.

Peanuts

246. To Provide for the Collection and Publication of Statistics of Peanuts by the Department of Agriculture. Public No. 775 (S. 81) Approved June 24, 1936.

Authorizes and directs the Secretary of Agriculture to collect and publish statistics of peanuts as follows:

(1) Quantity, showing quality in such details as to kinds - Virginias, Runners, Spanish, and imported varieties - as necessary, of raw, shelled, unshelled, and crushed, and peanut oil, in the United States, in possession of warehousemen, brokers, cleaners, shellers, dealers, growers' cooperative associations, or owners other than original producers (reports required to be submitted by such persons monthly); (2) Quantity picked or threshed by any person owning or operating peanut picking or threshing machines.

Failure to furnish reports or information required by this Act shall be a misdemeanor punishable by a fine of from $300 to $1,000, or imprisonment for a year, or both.

Authorizes Secretary to establish and promulgate grades and standards for classification of peanuts.

Information obtained shall be used only for statistical purposes for which it is supplied. No publication shall be made which identifies person furnishing data, and only sworn employees of Department of Agriculture shall be permitted to examine individual reports.

Secretary may make rules and regulations necessary to administer Act, and cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency, or political subdivision thereof, or any person. Authorizes appropriation of such sums as may be necessary.

Perishable Agricultural Commodities Act

247. Amending the Perishable Agricultural Commodities Act, as Amended. Public No. 702 (H.R. 8759) Approved June 19, 1936.

Clarifies and strengthens the Perishable Agricultural Commodities Act, 1930, approved June 10, 1930, as amended. Amends paragraph 4 of Sec. 2 so as to omit from the paragraph the words "or concerning the condition of the market for."

Amends paragraph (b) of Sec. 4 so as to make it clear that if an applicant for license is a partnership association, or corporation, and any individual holding any office, or in the case of a partnership having any interest or share in the applicant, had previously at any time within 2 years been responsible in whole or in part for any flagrant or repeated violation of the provisions of Sec. 2 of the act, then the applicant should be denied a license.

Amends paragraph (c) of Sec. 7 by providing that "in cases handled without a hearing in accordance with paragraphs (c) [cases involving $500 or less] and (d) of Sec. 6 or in which a hearing has been waived by agreement of the parties, appeal shall be to the District Court of the United States for the district in which the party complained against is located."

Personnel*

248. Relating to Retirement of Certain Officers and Employees. Public No. 383 (S. 2364) Approved August 28, 1935.

Provides that Government employees who had reached retirement age on or before July 1, 1932, or during the month of July 1932, and who were continued in active service for a period of less than 31 days after June 30, 1932, shall be regarded as having been retired and entitled to annuity beginning with the date following the date of separation from active service, instead of August 1, 1932, and directs the U. S. Civil Service Commission to make payments accordingly from the civil-service retirement and disability fund.

249. Providing for Compiling and Publishing the Official Register of the United States. Public No. 387 (H.R. 8473) Approved August 28, 1935.

Directs the Civil Service Commission to compile and publish annually an Official Register of the United States, containing a list of all persons occupying administrative and supervisory positions in the Government, showing the name, official title, salary, legal residence, and place of employment. Provides that, as early as practicable after the first of June of each year, the head of each executive department shall furnish the Commission, as of the 1st day of May of each year, the data required by this Act, on forms to be furnished by the Commission, and must issue on or before May 1 of each year a requisition upon the Public Printer for the number of copies of the Official Register necessary to meet its official requirements, the cost of such supply to be charged to the appropriations available to such department for printing and binding.

250. Providing for vacations to Government employees. Public No. 471 (H.R. 8458) Approved March 14, 1936.

Provides for 26 days' annual leave with pay each calendar year, effective January 1, 1936, for all civilian officers and employees of the United States and of the Government of the District of Columbia (except teachers and librarians of the public schools of the District of Columbia and officers and employees of the Panama Canal and Panama Railroad) This shall be in addition to any accrued leave and the unused part shall be accumulated up to 60 days. Temporary employees except those engaged on construction work at hourly rates, shall be entitled to 2 1/2 days of leave for each month of service. This leave shall be granted at such times as the heads of the various departments and independent establishments may prescribe.

Provides that within 3 months after enactment the heads of departments and independent establishments shall issue general public regulations setting forth the hours of duty per day and per week for each group of employees, "shall meet and consult among them-

* For Public Laws No. 301(jury service), No. 308 (char women), No. 579 (additional compensation for total disability requiring attendance) and No. 618 (withholding compensation) See Budget and Finance Circulars of the U. S. Department of Agriculture Nos. 14 and 26.

selves and make such regulations as nearly uniform as possible", and may appoint a subcommittee to draft such regulations. They shall keep a record of all work performed in excess of that required by the regulations issued, for the period from July 1, 1936 to December 31, 1936, and report the same to the Civil Service Commission at the end of each month. The Civil Service Commission shall make a report of such record to Congress on or before Jan. 31, 1937.

Does not prevent the continuance of "any existing leave differential now obtaining for the benefit of employees of the Federal Government stationed outside the continental limits of the United States." Includes employees of corporations created under authority of Acts of Congress, "whether or not the employees thereof are paid from funds appropriated by Congress."

"The leave of absence herein provided for shall be administered under such regulations as the President may prescribe."

251. Standardizing Sick Leave and Extending It to All Civilian Employees. Public No. 472 (H.R. 8459) Approved March 14, 1936.

Provides that on and after January 1, 1936, cumulative sick leave with pay, at the rate of 1 and 1/4 days per month, shall be granted to all civilian officers and employees (except teachers and librarians of the public schools and officers and members of the police and fire departments of the District of Columbia, and officers and employees of the Panama Canal and Panama Railroad) the total accumulation not to exceed 90 days. Temporary employees, except those engaged on construction work at hourly rates, shall be entitled to 1 and 1/4 days sick leave for each month of service.

Administrative officers may advance 30 days sick leave with pay beyond accrued sick leave "in cases of serious disability or ailments and when required by the exigencies of the situation."

Contains same provisions as described in the last 2 paragraphs for the Act above.

Executive Orders of the President No. 7409 and No. 7410, July 9, 1936 prescribe regulations relating to annual and sick leave of Government employees under authority of Public No. 471 and No. 472, effective July 1, 1936. These orders revoke all temporary regulations issued (under authority of Executive Order No. 7321, March 21, 1936) by heads of departments and independent establishments.

252. Appointments of Employees from Emergency Funds.

Executive Order No. 7070, June 12, 1935, prescribes regulations governing appointments of employees paid from emergency funds.

Executive Order No. 7197, Sept. 26, 1935 modifies the above order making paragraphs 3 and 4 inapplicable to transfers of certain persons in the Resettlement Administration.

Executive Order No. 7124, Aug. 5, 1935, modifies Executive Order No. 7070 to exclude transfers of employees of the Federal Emergency Relief Administration in Massachusetts, Ohio, Louisiana, Georgia, and North Dakota from the provisions of paragraphs 3 and 4.

253. To Amend the Naturalization Laws in Respect of Residence Requirements. Public No. 803 (H.R. 4900) Approved June 25, 1936.

Provides that no period of residence outside the United States by an alien declarant shall break the continuity of residence required for naturalization, if such alien proves to the Secretary of Labor before departure that he is employed by the U. S. Government, by a recognized American research institution, or by an American firm engaged in development of foreign trade; and if he proves to the court that his actual absence was in pursuance of such employment. Provisions are retroactive for a period of 5 years.

254. S. Doc. 9. Letter from the Acting Director of the Bureau of the Budget, transmitting, pursuant to law, a report relative to the filling of vacancies in the executive branch of the Government and the municipal government of the District of Columbia, for the period between July 1, and October 31, 1934. Jan. 7, 1935.

Petroleum

255. S.Doc. 10. Petroleum Code Case.

Opinion of the Supreme Court of the United States in the case of the Panama Refining Co., et al. v. Ryan et al; Amazon Petroleum Corporation et al. v. Ryan et al., Jan. 7, 1935. [293 U.S. 388] Held unconstitutional the clause of the oil regulation section of the National Industrial Recovery Act, sec. 9 (c) authorizing the President "to prohibit the transportation in interstate... commerce of petroleum...produced or withdrawn from storage in excess of the amount permitted...by any State law..." and prescribing a penalty for violation of orders issued thereunder. Referred to as the "Hot Oil Case."

256. The "Hot Oil" Act. Public No. 14 (S. 1190) Approved February 22, 1935.

Regulates interstate and foreign commerce in petroleum and its products by prohibiting the shipment or transportation in such commerce of "contraband oil" or petroleum and its products produced in violation of State law, until June 16, 1937.

Provides that the President shall lift the prohibition of interstate movement of contraband petroleum whenever he finds that the amount of petroleum and petroleum products moving in interstate commerce is so limited as to be the cause, in whole or in part, of a "lack of parity between supply and consumptive demand resulting in an undue burden on or restriction of interstate commerce in petroleum and its products."

Authorizes the President to prescribe regulations for enforcement of the Act, to require certificates of clearance for petroleum, and to establish a board or boards for the issuance of such certificates.

Makes contraband oil liable to Federal confiscation and to forfeiture.

Order No. 1, prescribing certain regulations under the Act is Executive Order No. 6980-B, March 1, 1935, and Order No. 3 is Executive Order No. 7024-B, April 25, 1935.

Function of administering the Act is vested in the Petroleum Conservation Division of the Department of Interior. The Petroleum Administrative Board was terminated March 31, 1936, under provisions of Executive Order No. 7076, June 15, 1935.

$500,000 for administering and enforcing the Act is provided in the Second Deficiency Appropriation Act, fiscal year 1935 (Public No. 260).

257. Interstate Oil Compact to Conserve Oil and Gas. Public Resolution No. 64 (H.J.Res. 407) Approved August 27, 1935.

Senate hearings held on S.2027 part of which was passed as Public Resolution No. 64 (401 Un34 1935)

Gives consent of Congress to an interstate compact to conserve oil and gas, executed in the city of Dallas, Texas, February 16, 1935, by representatives of the States of Oklahoma, Texas, California, and New Mexico, and there recommended for ratification by representatives of the States of Arkansas, Colorado, Illinois, Kansas, and Michigan, and since ratified by the States of New Mexico, Kansas, Oklahoma, Illinois, Colorado, and Texas. The compact is given in the resolution. The compact shall expire September 1, 1937.

258. H.Res. 441 (Agreed to June 15, 1934, 73d Congress): [Authorizing the Committee on Interstate Commerce to investigate all questions relating to regulation of commerce in petroleum]

Response printed as H.Rept. 2: Petroleum Investigation. Jan. 4, 1935.

House hearings held pursuant to resolution (401 Un38P 5 pts.)

Philippine Islands

259. Proclamation of the President No. 2148, Nov. 14, 1935, by authority vested in him by Act of March 24, 1934, and in conformity with Sec. 4 thereof, announced and proclaimed that officers of the government of the Commonwealth of the Philippines at election held Sept. 17, 1935 were duly elected and that "the existing Philippine Government shall terminate and the Government of the Commonwealth of the Philippines shall enter into its rights, privileges, powers, and duties as provided under the said Constitution of the Commonwealth of the Philippines." Effective Nov. 15, 1935.

260. S.Doc. 43. Constitution of the Philippines, adopted by the Philippine Constitutional Convention at the City of Manila, Philippine Islands on the 8th day of February 1935. April 3, 1935.

Message from the President of the United States, transmitting advice of the certification to the Governor General of the Philippine Islands of the proposed constitution printed as H.Doc. 144, March 25, 1935.

261. S.Doc. 57. Investigation of Conditions in the Philippines. Part 1, May 3, 1935, is report of Senator Kenneth McKellar, and Part 2, May 9, 1935 is report of Senator Ernest W. Gibson as members of the Special Committee to Investigate Conditions in the Philippines, appointed June 16, 1934.

Plant Quarantine

262. Amending Certain Plant-Quarantine Laws. Public No. 643 (H.R. 8495) Approved June 4, 1936.

Amends act of March 4, 1915 (38 Stat. 1113), which authorizes inspection by State officials of plant products mailed into a State, to prevent introduction of diseases, etc., to provide that plants or plant products (including seed) must be found not in violation of a plant quarantine law or regulation of the United States or the State of destination before they are forwarded to destination.

Potash Industry

263. S.Res. 274 (Agreed to June 18, 1936): (Pittmen) [Authorizing and directing the Committee on Public Lands and Surveys to institute and conduct a thorough investigation of all phases of the potash industry, and report at the next session of Congress the results of its investigation, together with its recommendations.]

Poultry

264. Poultry Racket Act. Public No. 272 (S. 12) Approved August 14, 1935.

Amends the Packers and Stockyards Act, 1921 by adding a new title, Title V-Live Poultry Dealers and Handlers.

Sec. 501. States necessity of legislation due to various unfair, deceptive, and fraudulent practices and devices in the handling of live poultry for the inhabitants of large centers of population, resulting in losses to consumers and unduly high costs to consumers, and placing an undue restraint and unjust burden upon interstate commerce.

Sec. 502. Authorizes and directs the Secretary of Agriculture to designate from time to time, by publication in the trade journals, public press, or otherwise, the cities where such practices and devices exist "and the markets and places in or near such cities where live poultry is received, sold, and handled in sufficient quantity to constitute an important influence on the supply and price of live poultry and poultry products". On and after the effective date of such designation "no person other than packers as defined in title II of said Act and railroads shall engage in, furnish, or conduct any service or facility in any such designated city, place, or market in connection with the receiving, buying, or selling, on a commission basis or otherwise, marketing, feeding, watering, holding, delivering, shipping, weighing, unloading, loading on trucks, trucking, or handling in commerce of live poultry without a license from the Secretary of Agriculture." Maximum penalty for violation is $500 fine, six months imprisonment, or both. The Secretary shall issue a license to any applicant furnishing the required information unless he finds after opportunity for a hearing that such applicant is unfit to engage in the activity by reason of his acts during the two years prior to his application or because of financial incompetency.

Sec. 503. Amends Sections 202, 401-404 of said Act by adding after the word "packer" wherever it appears in such sections the words "or any live poultry dealer or handler" and defines the

term "live poultry dealer."

Sec. 504. Provides that Sections 305 to 316, and 401-404 of said Act "shall be applicable to licensees with respect to services and facilities covered by this title and the rates, charges, and rentals therefor except that the schedules of rates, charges, and rentals shall be posted in the place of business of the licensee as prescribed in regulations made by the Secretary."

Sec. 505. Empowers the Secretary to suspend or revoke the license of persons violating any of the provisions of this title.

Power

265. Electric-Rate Investigation. Public Resolution No. 8, 73d Congress. Approved April 14, 1934.

Response printed as Electric Rate Survey: Domestic and residential rates in effect January 1, 1935. Rate Series 2: State reports Nos. 1-48. (173 F34El)

266. Public Utility Act of 1935. Public No. 333 (S. 2796) Approved August 26, 1935.

Senate hearings held on S. 1725 (284 Un393P)

House hearings held on H.R. 5423 (284 Un3932P 3 parts)

Title I - Control of Public-Utility Holding Companies.

This title is cited as the Public Utility Holding Company Act of 1935. Sec. 1 sets forth the facts by reason of which public-utility holding companies are affected with national public interests; enumerates conditions which justify their regulation; and declares the policy of the title to be that of meeting the problems and eliminating the abuses connected therewith.

Provides for registration of holding companies with the Securities and Exchange Commission after October 1, 1935, and after December 1, 1935 unregistered companies are prohibited from engaging in certain activities. Makes it unlawful for any registered holding company or subsidiary thereof to use any means or instrumentality of interstate commerce, or otherwise, (1) to issue or sell any security, or (2) to exercise any privilege or right to alter the priorities, voting power, etc., of the holders of an outstanding security of such company, except in accordance with a declaration filed with the Commission. Makes unlawful the acquisition of securities and utility assets and other interests without approval of the Commission. Makes it the duty of the Commission to examine the corporate structure of registered holding companies and subsidiaries thereof, and as soon as practicable after Jan. 1, 1938, to require by order, after notice and hearing, that each such company shall take necessary action to limit the operations of the holding-company system of which such company is a part to a single integrated system, etc., and to ensure that the corporate structure or continued existence of any company in the system does not unduly or unnecessarily complicate the structure, or unfairly or inequitably distribute voting power among security holders.

Makes certain transactions of registered holding companies unlawful in regard to intercompany loans, payment of dividends, sale of utility assets, etc.

Title II - Amendments To Federal Water Power Act.

Gives the Act the short title of Federal Power Act, and adds thereto Part II - Regulation of Electric Utility Companies Engaged in Interstate Commerce and Part III - Licensees and Public Utilities; Procedural and Administrative Provisions. Part II applies to the transmission and sale at wholesale of electric energy in interstate commerce, Federal regulation extending only to those matters not subject to regulation by the States. Empowers the Federal Power Commission to divide the country into regional districts for the voluntary interconnection and coordination of facilities for the generation, transmission and sale of electric energy. Forbids public utilities from disposing of property, merge or consolidate facilities, or purchase securities of other public utility companies or issue securities without securing an order from the Federal Power Commission. Makes rates and charges of public utilities subject to the Commission, etc. Authorizes and directs the Commission to conduct investigations regarding the generation, transmission, distribution, and sale of electric energy.

267. Rural Electrification Act of 1936. Public No. 605 (S. 3483) Approved May 20, 1936.

Establishes the Rural Electrification Administration the powers of which shall be exercised by an Administrator with a term of 10 years and a salary of $10,000 per year. Permits President to transfer thereto "the jurisdiction and control of the records, property..., and personnel used or employed in the exercise and performance of the functions of the Rural Electrification Administration established by" Executive Order No. 7037, May 11, 1935, and to vest in the Administrator the administration of loans and contracts entered into by the former Administration, the provisions of this Act applying thereto to the extent that they are not inconsistent.

Authorizes the R.F.C. to make loans to Administrator (with approval of President) not exceeding in aggregate amount $50,000,000 for fiscal year ending 1937, with interest at 3 percent upon security furnished by borrowers (from Administrator) hereunder or under Executive Order creating the R.E.A. No such loan shall be for more than 85 percent of principal held as security therefor.

Authorizes an appropriation for the fiscal year 1938, and for each of the 8 years thereafter, of $40,000,000, one half to be allotted annually for loans in States in proportion of the number of their farms to the total number of farms of United States not then receiving central station electric service, and the other half where it may be effectively employed provided that not more than 10 percent be employed in any one State, or in all of the Territories.

Empowers the Administrator to do the following:

"Make loans to persons, corporations, States, Territories, and subdivisions and agencies thereof, municipalities, peoples utility districts and cooperative, nonprofit, or limited dividend associations" for financing "construction and operation of generating plants, electric transmission and distribution lines or systems for the furnishing of electric energy to persons in rural areas who are not receiving central station service",

provided the Administrator gives preference to those whose projects comply with the requirements of this Act. Such loans shall be self-liquidating within 25 years. Requires consent of State authority to loans for construction, operation, or enlargement of any generating plant. Forbids borrowers from selling or disposing of property, rights, or franchises, acquired under provisions of Act, without approval of Administrator, until loans are repaid;

"Make loans for the purpose of financing the wiring of the premises of persons in rural areas and the acquisition and installation of electrical and plumbing appliances and equipment" to any of the borrowers of funds loaned under preceding paragraph, or to any person, firm, or corporation supplying or installing such. Time of payment may be extended by the Administrator for not more than 2 years for loans under this paragraph (excluding those held by R.F.C.) and for those under preceding paragraph not more than 5 years. Under both paragraphs loans shall bear interest at a rate equal to the average payable by the U. S. on its long-term obligations;

"Bid for and purchase" at foreclosure sale, etc., or otherwise acquire any property pledged or mortgaged hereunder, and to operate or lease (up to 5 years) or sell such property.

Authorizes appropriation of such sums as shall be necessary for administrative expenses and for "the purpose of making the studies, investigations, publications, and reports herein provided for."

Requires that Act be administered on a nonpartisan basis and forbids political tests or qualifications for employees. Requires Administrator to report annually to Congress not later than Jan. 20 in each year. Permits Administrator to "accept and utilize such voluntary and uncompensated services of Federal, State, and local officers and employees as are available." Defines terms "rural area" and "farm", etc.

Executive Order No. 7037, May 11, 1935, establishing the former Rural Electrification Administration, was issued under authority of the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11), and $75,000 was allocated from appropriation made by that Act for administrative expenses. Duties and functions outlined by the Executive Order were: "To initiate, formulate, administer, and supervise a program of approved projects with respect to the generation, transmission, and distribution of electric energy in rural areas." Authorized Administrator "to acquire, by purchase or by the power of eminent domain, any real property or any interest therein and improve, develop, grant, sell, lease (with or without the privilege of purchasing), or otherwise dispose of any such property or interest therein."

$1,000,000 for administrative expenses and expenses of studies, investigations, publications, and reports necessary to carry out the Act appropriated by the First Deficiency Appropriation Act, fiscal year 1936 (Public No. 739).

Morris L. Cooke, Administrator.

268. To Amend Certain Provisions of the Act of March 7, 1928. Public No. 758 (H.R. 11643) Approved June 22, 1936.

Provides that net revenues from sale of surplus power developed at the Coolidge Dam and other generating plants of the San Carlos project and transmitted over existing transmission lines shall be devoted: (1) to reimburse the United States for cost of developing such power; (2) to reimburse the United States for cost of San Carlos project; (3) to pay cost of operation, maintenance, and improvements. Revenue from power transmitted over lines hereafter built by San Carlos district shall be devoted, first to payment of cost of construction thereof, and thereafter applied in the same manner as above provided.

269. H. Doc. 137. Message from the President of the United States, transmitting a Report of the National Power Policy Committee with respect to the treatment of holding companies. March 12, 1935.

270. S. Res. 123 (Agreed to May 1, 1935): [Directing the Federal Power Commission to furnish to the Senate (1) a list of all publicly owned electric generating or distributing plants, whether Federal, State, county, or municipal, in the United States, in which the installation, organization, or operation of such plants has been interfered with by reason of restraining orders or injunctions issued in Federal or State Courts; (2) delay caused by such restraining order or injunction; and (3) expenses, direct and indirect, incurred by owners by reason of such orders or injunctions.]

Response printed as S.Doc. 182: Restraining Orders and Injunctions Instituted Against Public Electric Projects. March 5, 1936.

Press, Freedom of

271. H.Doc. 416. Opinion of the Supreme Court of the United States in the case of Alice Lee Grosjean, supervisor of public accounts for the State of Louisiana, appellant, v. American Press Company Inc., et al., involving the constitutionality of paragraph 1 of Act no. 23 of the Louisiana Legislature passed and approved July 12, 1934, as abridging the freedom of the press. 1936.

Prices

272. Authorizing the Federal Trade Commission to Make an Investigation with Respect to Agricultural Income and the Financial and Economic Condition of Agricultural Producers Generally. Public Resolution No. 61 (S.J.Res. 9) Approved August 27, 1935. As Amended by Public Resolution No. 112 (H.J.Res. 444) Approved June 20, 1936.

House hearing held on H.J.Res. 444. (58 Un33)

Directs the Federal Trade Commission to investigate and report, at the next session of Congress-

First. (1) The extent of the decline in agricultural income in recent years, including amount and percentage of decline;and with reference to the principal farm products, and table and juice grapes, fresh fruits and vegetables the (2) extent of the increases or decreases in recent years in the income of the principal corporations

engaged in the sale, manufacturing, warehousing, and/or processing of, and of the other principal sellers, manufacturers, warehousemen, and/or processors of, as compared with the decline in agricultural income, including amount and percentage of such changes, and (3) proportion of total consumer cost of representative products manufactured or processed from, which is represented by the proceeds received by (a) the farmer; (b) manufacturers, processors, and warehousemen; and (c) the distributors, and such farm products, and such representative products manufactured therefrom.

Second. Financial position of the principal corporations engaged in the manufacturing, processing, warehousing, distribution, and marketing of the representative major products manufactured therefrom, including - (1) The capitalization and assets and means and sources of growth of such capitalization and assets; (2) investment, costs, profits, and rates of return; (3) salaries of the officers; and (4) extent to which said corporations avoid income taxes, if at all, and the extent to which officers receiving such salaries paid income taxes thereon.

Third. The extent of concentration of control and of monopoly in the manufacturing, processing, warehousing, distribution, and marketing of representative major farm products, and of table and juice grapes, fresh fruits and vegetables, which is maintained or has been maintained by any corporation or other organization, including - (1) methods and devices used and proportion of any such farm commodities handled by each of the large units involved; and (2) the extent to which fraudulent, dishonest, unfair, intimidating, and injurious methods are employed in grading, warehousing, and transportation of such farm products, including combinations, monopolies, price fixing, and manipulation of prices on the commodity exchanges, and by racketeering and so-called auction markets.

Fourth. The extent to which the cooperative agencies have entered into the processing, warehousing, and marketing of representative major farm products, and of table and juice grapes, fresh fruits and vegetables, and the general effects of such cooperative agencies upon the producer and consumer.

Fifth. The extent to which other countries have adopted or promoted processing, warehousing, and marketing agencies of a public, quasi-public, or cooperative sort for the simplification and cheapening of the processing, etc., of agricultural products, and other administrative agencies which may have been set up for the protection of the farmer-producer and the consumer.

Sixth. Any conclusions and/or recommendations with regard to increasing the income of farm producers or other recommendations with regard to the improvement of the economic position of farmers or consumers growing out of the inquiry.

Sec. 2. Directs the Department of Agriculture, the National Recovery Administration, the Department of Justice, and other agencies of the Government to cooperate with the Commission in such inquiry.

Sec. 3. Gives the Federal Trade Commission the same right to obtain data and to inspect income-tax returns as the Committees on Ways and Means and Finance.

Sec. 4. The Federal Trade Commission, the Attorney General, and the courts of the United States shall have, and may exercise all of the powers and jurisdiction severally conferred upon them by the Federal Trade Commission Act, approved Sept. 28, 1914.

Sec. 5. Authorizes an appropriation of $300,000 to carry out the purposes of this resolution.

Sec. 6. Directs the Commission to present an interim report on January 1, 1936, and a final report to Congress in respect to such principal farm products and representative products manufactured therefrom, together with recommendations for legislation not later than October 1, 1936, and a further report to the Congress in respect to table and juice grapes, fresh fruits and vegetables, together with recommendations for legislation on or before January 31, 1937, and a final report in respect to the said last mentioned products, together with any further recommendations, not later than May 31, 1937.

Makes available any unexpended balance of the appropriation of $150,000 made in the Independent Offices Appropriation Act for the fiscal year 1936 (Public No. 2) in accordance with the authority contained in Public Resolution No. 61 for like purpose to and including October 1, 1936.

Response printed as H.Doc. 380: Interim Report of the Federal Trade Commission on the Agricultural Inquiry. Jan. 3, 1936.

273. S.Res. 17 (Agreed to January 7, 1935): (Borah) Calling upon the Secretary of Agriculture for a report by Gardner C. Means relating to industrial prices.

Response printed as S. Doc. 13: Industrial Prices and Their Relative Inflexibility. January 15, 1935.

Prisons

274. Federal Prison Industries, Inc.

Created by Executive Order No. 6917, Dec. 11, 1934, amended by Executive Order No. 6956, Feb. 4, 1935, by authority of Act of June 23, 1934 (Public No. 461, 73d Congress)

It shall consist of a board of five directors, the first board to consist of the following: Mr. Sanford Bates, Mr. Thomas A. Rickert, Hon. John D. Miller, Dr. Marion Luther Brittain, and Mr. Sam A. Lewisohn.

The corporation shall have power to determine in what manner and to what extent industrial operations shall be carried on in the several penal and correctional institutions of the United States, etc.

275. Prison Industries Reorganization Administration.

Established by Executive Order No. 7194, Sept. 26, 1935 (by authority of the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11), which also allocates $100,000 to the Administration and prescribes the duties and functions.

Executive Order No. 7202, Sept. 28, 1935, appoints the following members of the Prison Industries Reorganization Board, the governing body of the Prison Industries Reorganization Administration: Joseph N. Ulman, Chairman, Louis N. Robinson, Linton N. Collins, Gustav Pock and James P. Davis.

276. Prison-Made Products. Public No. 215 (S. 2904) Approved July 24, 1935.
Makes unlawful the transportation of prison-made goods from one State into another where the use or sale of such goods is forbidden by State law, and provides that packages containing such goods shall be plainly marked. Does not apply to manufactures by Federal penitentiaries for the use of the United States Government.

Public Works

277. Public Works Administration.
Continued until June 30, 1937 by the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11)
Executive Order No. 6929, Dec. 26, 1934 (by authority of Sec. 201 (a) of the National Industrial Recovery Act), delegated following functions and powers to the Federal Emergency Administrator of Public Works:
"1. In his discretion, and upon such terms and conditions as he may prescribe, to sell, assign, transfer and deliver all securities or any part thereof purchased under the authority of Sec. 203 of said Act and of Title II of the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934, 48 Stat. 1021, and to apply the proceeds as prescribed by Sec. 203 of the said Act and said Emergency Appropriation Act, fiscal year 1935.
"2. To alter, amend, or waive any or all rules and regulations in Executive Order No. 6252 of August 19, 1933, and any other rule or regulation promulgated by the President under the authority of Sec. 209 of said Act, and to prescribe pursuant to the authority of the said Sec. 209 any other rules or regulations as are necessary to carry out the purposes of said Act; Provided, however, no rule or regulation the violation of which is made punishable by fine or imprisonment under the said Sec. 209 shall become effective" until approved by the President.

Executive Order No. 7064, June 7, 1935 (by authority of the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11)) authorizes the Federal Emergency Administration of Public Works:
"(a) to continue after June 16, 1935, to perform all the functions which it was authorized to perform prior to June 16, 1935, under Title II of the National Industrial Recovery Act...;
"(b) subject to the rules and regulations heretofore and hereafter prescribed by the President to carry out the Emergency Relief Appropriation Act of 1935, approved April 8, 1935, to perform the following functions under said Act:
"(1) make loans or grants, or both, for projects of States, territories, possessions, including subdivisions and agencies thereof, municipalities and the District of Columbia, and self-liquidating projects of public bodies thereof, where, in the determination of the President, not less than twenty-five per centum of the loan or grant, or the aggregate thereof, is to be expended for work under each particular project;
"(2) carry out projects for slum-clearance or low-cost housing, or both;

"(c) to sell any securities acquired under Title II of the National Industrial Recovery Act, approved June 16, 1933, or under the Emergency Relief Appropriation Act of 1935..., and all moneys realized from such sales shall be available for the making of further loans", etc.

Reallocates for use of departments and agencies of the Government unobligated balances on June 30, 1935, of allotments of funds made pursuant to Title II of the National Industrial Recovery Act, for the performance of functions of the Federal Emergency Administration of Public Works.

278. S.Res. 58 (Agreed to Jan. 25, 1935): (O'Mahoney) [Providing for a special committee of seven Senators to make a survey and study of all land and water policies and projects of the several executive agencies and establishments of the Government and to report to the Senate as soon as practicable the results together with recommendations.]

Senate hearings held on resolution. (282 Un372)

279. S.Res. 91 (Agreed to March 6, 1935): (Byrd) [Requesting the Secretary of the Treasury of the United States to furnish immediately to the Senate an itemized statement of allocations made for projects out of the appropriation of $3,300,000,000 authorized by the National Industrial Recovery Act; and the following information: Total cash disbursed to March 1, 1935; balance unexpended out of the amount appropriated; a list of projects both Federal and non-Federal and their locations on which disbursements have been made, the amount of such disbursements and an estimate of the cost of completing each project; a list of future allocations authorized both Federal and non-Federal which the Government of the United States is obligated to make and on which no expenditures have as yet been made, etc.]

Response printed as S. Doc. 40: Statement Relative to Funds Under the N.R.A. March 11, 1935.

280. S.Res. 234 (Agreed to Feb. 12, 1936): (Hayden) [Requesting the Federal Emergency Administrator of Public Works to furnish the Senate with lists of pending non-Federal projects, one showing those approved by the Federal Emergency Administration of Public Works for which allocations have not been made, and on those which have not yet been finally disapproved by said Administration, said lists to indicate as to each project its location, type and estimated cost, and the amounts of loan or grant requested.]

Response printed as S.Doc. 183. March 9, 1936.

281. S.Res. 235 (Agreed to Feb. 13, 1936): (Norris) [Directing the Administrator of Public Works to report to the Senate at his earliest convenience a list of all projects involving the generation, transmission, or distribution of electric power, and all projects for the production and distribution of gas, for which allotments have been made by the Public Works Administration, etc.]

Response printed as S.Doc. 184: Public Works Administration Allotments for Gas and Electric Projects. March 9, 1936.

282. S.Res. 271 (Agreed to March 31, 1936): (Hayden) [Requesting the Federal Emergency Administrator of Public Works to furnish the Senate with a list of non-Federal projects pending in the Federal Emergency Administration of Public Works which have not yet been finally disapproved by said Administration, such list to indicate as to each project its location, type, and estimated cost, amount of loan or grant requested, and whether or not it has been examined and approved.]

Response printed as S. Doc. 193: Non-Federal Public Works Administration Projects. April 4, 1936.

283. S.Doc. 167. A Study of Headwater Streams and Other Little Waters, Message from the President of the United States, transmitting a letter from the Chairman of the National Resources Committee with the accompanying report entitled: "Little Waters: A Study of Headwater Streams and Other Little Waters: Their Use and Relations to the Lands." Jan. 30, 1936.

This report is submitted for the Soil Conservation Service, Resettlement Administration, and Rural Electrification Administration.

284. Bluestone Reservoir Project.

Executive Order No. 7183-A, Sept. 12, 1935 (by authority of the National Industrial Recovery Act and the Emergency Relief Appropriation Act) orders the Secretary of War to proceed with construction of the Bluestone Reservoir Project, and allocates $1,000,000 for the purpose, of which amount $800,000 shall be available for acquisition of lands.

285. Public Works Emergency Housing Corporation or Federal Emergency Housing Corporation.

Abolished and liquidated as of August 14, 1935, by the filing of a Certificate of Surrender of Corporate Rights before payment of any part of the capital stock.

286. H.Doc. 84. Report of National Resources Board and Report of the Mississippi Valley Committee of the Public Works Administration. Message from the President of the United States, transmitting... Jan. 24, 1935.

287. National Resources Committee.

Created by Executive Order No. 7065, June 7, 1935, by authority of the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11)

Consists of the Secretary of the Interior (Chairman), the Secretaries of War, Agriculture, Commerce, and Labor, the Federal Emergency Relief Administrator, Frederic A. Delano, and Charles E. Merriam.

An advisory committee consists of Frederic A. Delano (Chairman), Charles E. Merriam, Beardsley Ruml and Henry S. Dennison.

Functions and duties are prescribed as follows:

"(a) To collect, prepare, and make available to the President, with recommendations, such plans, data and information as may be helpful to a planned development and use of land, water, and other national resources, and such related subjects as may be referred to it by the President.

"(b) To consult and cooperate with agencies of the Federal Government, with the States and municipalities or agencies thereof, and with any public or private planning or research agencies or institutions, in carrying out any of its duties and functions.

"(c) To receive and record all proposed Federal projects involving the acquisition of land (including transfer of land jurisdiction) and land research projects, and in an advisory capacity to provide the agencies concerned with such information or data as may be pertinent to the projects. All executive agencies shall notify the National Resources Committee of such projects as they develop, before major field activities are undertaken."

Abolishes the National Resources Board and the advisory committee established by Executive Order No. 6777, dated June 30, 1934, and transfers all personnel, property, records, rights, etc., of said Board to the National Resources Committee. Also transfers unexpended balance of all moneys made available to the National Resources Board.

Effective at close of business on June 15, 1935.

288. Authorizing the Construction, Repair, and Preservation of Certain Public Works on Rivers and Harbors. Public No. 409 (H.R. 6732) Approved August 30, 1935.

House hearings held on bill.

Senate hearings held on bill (290 Un36 1935)

Certain works of improvement of rivers, harbors, and other waterways (therein listed) are adopted and authorized to be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers in accordance with the plans recommended in the respective reported hereinafter designated projects and subject to conditions set forth in such documents.

Projects known as "Parker Dam" on the Colorado River and "Grand Coulee Dam" on the Columbia River, are hereby authorized and adopted, etc.

Authorizes and directs the Secretary of War to cause preliminary examinations and surveys to be made at localities herein named.

Requests the International Joint Commission, United States and Great Britain, to investigate the advisability of the improvement of a waterway from Montreal through Lake Champlain to connect with the Hudson River, etc. $5,500, to remain available until June 30, 1937, is provided for the expense of this investigation and report by the First Deficiency Appropriation Act, fiscal year 1936 (Public No. 739).

Requires that every report submitted to Congress in pursuance of any provision of law for preliminary examination and survey looking to the improvement of the entrance at the mouth of any river or at any inlet "shall contain information concerning the configuration of the shore line and the probable effect thereon that may be expected to result from the improvement having particular reference to erosion and/or accretion for a distance of not less than ten miles on either side of the said entrance."

Authorizes and directs the Secretary of War to have prepared and transmitted to Congress at the earliest practical date after

Jan. 3, 1936, a compilation of preliminary examinations, surveys, and appropriations for works of river and harbor improvement, which shall be a revised edition of H.Doc. 1491, 63d Congress (prepared in accordance with Act of March 4, 1913) extended to Jan. 1, 1936.

289. To Waive Any Exclusive Jurisdiction over Premises of Resettlement or Rural-Rehabilitation Projects, Etc. Public No. 845 (H.R. 12876) Approved June 29, 1936.

Provides that the acquisition by the U. S. of real property for any resettlement project or any rural-rehabilitation project for resettlement purposes (from funds transferred to the Resettlement Administration pursuant to the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11) or any other law) shall not be held to deprive any State or its subdivision of civil and criminal jurisdiction over such property, or to impair civil rights of tenants or inhabitants under local law. Cedes back to such State or subdivision any jurisdiction taken away or rights impaired.

Authorizes the Resettlement Administration, upon request, to enter into an agreement with any State or subdivision in which such a project has been or will be constructed, for payment of agreed sums in lieu of taxes, to be based upon cost of public or municipal services to be supplied, but taking into account benefits to be derived from the project by such State or subdivision.

Such payments in lieu of taxes, and operation and maintenance expenditures of such projects shall be made out of the receipts derived from their operation, in addition to the moneys appropriated or allocated for them.

290. To Waive Any Exclusive Jurisdiction over Premises of Public Works Administration Slum-Clearance and Low-Cost Housing Projects, Etc. Public No. 857 (S. 3247) Approved June 29, 1936.

Provides that the acquisition by the United States of real or personal property in connection with low-cost housing or slum-clearance projects (from funds allotted pursuant to title II of the National Industrial Recovery Act, the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11) or any other law) shall not be held to deprive any State or its subdivision of civil or criminal jurisdiction over such property, or to impair civil rights of tenants or inhabitants under local law. Cedes back to such State or subdivision any jurisdiction taken away or rights impaired.

Authorizes the Federal Emergency Administrator of Public Works, upon request, to enter into an agreement with any State or subdivision in which such a project has been or will be constructed, for payment of agreed sums in lieu of taxes, to be based upon cost of public or municipal services to be supplied, but taking into account benefits to be derived from the project by such State or subdivision.

Such payments in lieu of taxes, and operation and maintenance expenditures of such projects shall be made out of the receipts derived from their operation. Federal Emergency Administrator of Public Works shall fix rentals of such projects at an amount

sufficient to pay (1) administrative expenses of the project; (2) at least 55 percent of initial cost, together with interest, within a peried of 60 years. Dwelling accommodations in such projects shall be available only to families who lack sufficient income to live in decent, safe, and sanitary dwellings, etc., and whose aggregate income does not exceed 5 times the rental of the quarters.

291. Virgin Islands.

Executive Order No. 7152, Aug. 21, 1935 (by authority of the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11)) prescribes "additional functions and duties of the Temporary Government of the Virgin Islands te be exercised and performed by the Governor of the Virgin Islands under the supervision of the Secretary of the Interior:

"To initiate, formulate, administer, and supervise a program of approved projects for providing relief and work relief and for increasing employment within the Virgin Islands, and all other projects in or for the Virgin Islands heretofore undertaken and partially executed under title II of the National Industrial Recovery Act (48 Stat. 195,200), or under any section of that title; and to carry out any remaining functions of any agencies established in or for the Virgin Islands under any section of that title.

"All assets and records of the Resettlement Administration acquired from the Virgin Islands Subsistence Homesteads Authority under and by virtue of Executive Order No. 7041, of May 15, 1935, are hereby transferred to the Temporary Government of the Virgin Islands," etc.

Railreads

292. Rail Extension Act. Public Resolution No. 27 (S.J.Res. 112) Approved June 14, 1935.

House hearing held on resolution (289.2 Un34Ex)

Extends for 1 year, or until June 17, 1936, Title I of the Emergency Railroad Transportation Act of 1933 (Public No. 68, 73d Congress). Provides that orders of the Coordinator or of the Interstate Commerce Commission made under that Act shall continue in effect until vacated by the Commission or set aside by other lawful authority, etc. Continues assessment of $2 a mile on railroads for financing the Coordinator's office.

The message of the President transmitting a recommendation for this legislation, June 7, 1935, was printed as H.Doc. 221.

Executive Order No. 6907, Nev. 19, 1934 (by authority of the National Industrial Recovery Act and the Fourth Deficiency Appropriation Act, fiscal year 1933 (Public 77, 73d Congress)) makes $140,000 available to the Federal Coordinator of Transportation from the $3,300,000,000 for National Industrial Recovery provided by the Fourth Deficiency Act.

293. S.Res. 71 (Agreed to May 20, 1935): (Wheeler) [Authorizing and directing the Committee on Interstate Commerce to make, and to report to the Senate the results of, a thorough and complete investigation of the financing, reorganizations, mergers, acquisitions and dispositions, insolvency, credit and securities operations and activities, financial policies, intercorporate relationships in respect of interstate railroads, railroad holding companies, railroad affiliates, and subsidiaries, etc.]
Senate hearings held (289.2 Un32In)

Executive Order No. 7158, Aug. 23, 1935, makes income, profits, and capital-stock tax returns made under the Revenue Act of 1934, the National Industrial Recovery Act, the Revenue Act of 1932, as amended by the National Industrial Recovery Act, and the prior revenue acts open to inspection by the Senate Committee on Interstate Commerce for the purposes of the investigation.

Executive Order No. 7149, Aug. 19, 1935, requests Executive departments and other agencies of the Government to cooperate with the Senate Committee on Interstate Commerce in this investigation.

294. S.Res. 227 (Agreed to June 6, 1936): [Continuing S.Res. 71 in full force and effect during the sessions, recesses, and adjourned periods of the Senate in the 75th Congress, and authorizing the expenditure of an additional $75,000.]

295. H.Doc. 89. Report of the Federal Coordinator of Transportation, 1934, on transportation legislation. Jan. 30, 1935.

Labor

296. Railroad Retirement Act (Crosser-Wagner) Public No. 399 (H.R. 8651) Approved August 29, 1935.
House Hearings held on bill (284.6 Un392R)
Senate Hearings held on S. 3151 (284.6 Un394R)

Replaces the Railroad Retirement Act (Public No. 485, 73d Congress) invalidated by the Supreme Court in the case of the Railroad Retirement Board, et al., petitioners vs. The Alton Railroad Company et al. This decision was printed as S.Doc. 55, May 7, 1935.

This Act, effective March 1, 1936, is based on the power of Congress to tax instead of on its authority to regulate commerce as in the original act. Authorizes appropriations to be made from time to time and provides for the payment of retirement annuities from the Treasury to railroad employees who are 65 years or more, or who have given 30 years service and have reached the age of 50 years or have been retired for disability. The amount of the annuity is obtained by multiplying the number of years of service up to 30 by the following percentages of the monthly compensation: 2 of the first $50; 1 1/2 of the next $100; and 1 of the remainder, up to $300.

Creates a Railroad Retirement Board of 3 members to be appointed by the President, one on recommendation of the employees, one on recommendation of the carriers, and the chairman without recommendation of either, to administer the Act and submit a special report recommending changes in the retirement system, within a period of 4 years.

Sets up an Investigation Commission of 9 members, including 3 Senators appointed by the Vice President, 3 Representatives by the Speaker, and 3 members by the President, to make a thorough investigation of all pertinent facts relative to a retirement annuity system applicable to railroad carriers, and report its finding to Congress not later than January 1, 1936.

The Railroad Retirement Board established in Sec. 9 of the Railroad Retirement Act (Public No. 485, 73d Congress) is continued for a period of 60 days from January 21, 1936 by Public Resolution No. 68 (S.J.Res. 144) approved January 21, 1936. Provision is made for the payment of compensation and expenses and the winding up of its affairs and the disposition of its property and records.

James A. Dailey, of New York, Lee M. Eddy, of Missouri, and Murray W. Latimer (Chairman), of New York, members of the Railroad Retirement Board.

Messrs. Crosser, Vinson, and Michener, members of the Investigation Commission, designated by the Speaker.

$35,000 for expenses necessary to liquidate the affairs of the former Railroad Retirement Board established by the Railroad Retirement Act of June 27, 1934 (Public No. 485, 73d Congress) appropriated by the Second Deficiency Appropriation Act, fiscal year 1935 (Public No. 260) on p. 5.

$600,000 is appropriated for the Railroad Retirement Board, and $3,000 for the Railroad Retirement Investigation Commission by the Supplemental Appropriation Act, fiscal year 1936 (Public No. 440) and the unexpended balance of this appropriation is made available until June 30, 1937 by the First Deficiency Appropriation Act, 1936 (Public No. 739)

$46,620,000 is appropriated to carry sections 3, 4, and 5 of the Railroad Retirement Act by the Independent Offices Appropriation Act, fiscal year 1937 (Public No. 479).

297. Taxation of Carriers and Their Employees. Public No. 400 (H.R. 8652) Approved August 29, 1935.

House Hearings held on bill (284.5 Un391Tc)

Senate Hearings held on S. 3150 (284.5 Un37Ta)

The purpose of this Act is to finance the retirement plan provided in the Railroad Retirement Act above.

Provides that after March 1, 1936, there shall be levied, collected by the Commissioner of Internal Revenue, and paid into the Treasury an excise tax upon carriers and an income tax upon their employees, of 3 1/2 per centum of the compensation paid by the carrier, and received by the employee, up to $300 a month. The levy upon compensation of employees' representatives is 7 per centum annually.

298. Railway Labor Act Appropriations (Public 442, 73d Congress)

Independent Offices Appropriation Act, 1937 (Public No. 479, approved Mar. 19, 1936) appropriates $120,000, together with $10,000 unexpended balance of appropriation for the same purpose fiscal year 1935 and $7,000 of unexpended balance of appropriation

for emergency boards, fiscal year 1936, for salaries and expenses, National Mediation Board. The First Deficiency Appropriation Act, fiscal year 1936 (Public No. 739) appropriates for fiscal year 1937, $3,000 for same purpose and reduces from $10,000 to $7,000 the unexpended balance of fiscal year 1935 provided by the Independent Offices Appropriation Act, 1937.

Independent Offices Appropriation Act, 1937 (Public No. 479, approved Mar. 19, 1936) continues available for fiscal year 1937 the unexpended balances of appropriation for 1936 for arbitration boards and for emergency boards all but $7,000. It also appropriates for printing and binding, National Mediation Board, $1,500, together with unexpended balance of $1,000 for same purposes fiscal year 1935.

Independent Offices Appropriation Act, 1937 (Public No. 479, approved Mar. 19, 1936) appropriates $190,000, together with $25,000 of the unexpended balance for the same purpose, fiscal year 1935, salaries and expenses, and $35,000 for printing and binding, National Railroad Adjustment Board. The First Deficiency Appropriation Act, fiscal year 1936 (Public No. 739) appropriates $25,000 for salaries and expenses fiscal year 1937 and repeals the $25,000 of unexpended balance provided by the Independent Offices Appropriation Act, 1937. It also provides $12,500 for salaries and expenses and $7,500 for printing and binding, fiscal year 1936 for National Railroad Adjustment Board.

299. Air Transport Labor Act. Public No. 487 (S.2496) Approved April 10, 1936.

Adds a title II to the Railway Labor Act of 1926. Extends the provisions of title I (except section 3) to common carriers by air in interstate or foreign commerce, to contract mail carriers and their employees. Extends jurisdiction of National Mediation Board to adjustment of labor disputes (air carriers) in certain cases, etc.

Reconstruction Finance Corporation

300. The R.F.C. Extension Act. Public No. 1 (S. 1175) Approved February 6, 1935.

Senate Hearings held on bill (284 Un36At)
House Hearings held on H.R. 4240 (284 Un35Rt)

Continues the functions of the Reconstruction Finance Corporation (extended by Act of January 20, 1934 to February 1, 1935) to February 1, 1937, or such earlier date as the President may fix by proclamation.

Sec. 2 (a) reenacts with certain clarifying changes section 2 of the Act of January 20, 1934, It broadens the language to include subscriptions for preferred stock or purchases of capital notes or debentures within the meaning of the term "loan or advance". It excepts from the operation of the section commitments made under section 5d, as amended by Sec. 10 of this Act and under Sec. 9 of the so-called Industrial Loan Act, approved June 19, 1934. (Public 417, 73d Congress)

Sec. 2 (b) provides that the Corporation may make disbursement at any time prior to January 31, 1936, on account of any commitment heretofore made to make a loan or advance, subscribe for preferred stock or purchase capital notes or debentures.

Sec. 3 provides for loans or advances or renewals or extensions thereof to mature not later than January 31, 1945, instead of February 1, 1940, as under existing law. Contains a proviso that as a condition of making loans to railroads or railways, or purchasing the obligations thereof, for a period longer than 5 years, the Corporation may require that arrangements be made to reduce or amortize the indebtedness according to a plan approved first by the Interstate Commerce Commission and then by the Corporation.

Sec. 4 amends Sec. 5 of the R.F.C. Act, as amended, relating to loans to railroads, receivers, and trustees. Contains a proviso that the total amount of such loans and commitments and purchases and guaranties of obligations of railroads under the paragraph, as amended, shall not exceed at any one time $350,000,000, in addition to loans and commitments made prior to the date of enactment of this Act and renewals of loans and commitments so made.

Sec. 5 amends the R.F.C. Act, as amended, by inserting a new section no. 5c. Authorizes the R.F.C. "to assist in the reestablishment of a normal mortgage market" by subscribing for or making loans upon the nonassessable stock of any class of any national mortgage association organized under Title III of the National Housing Act and of any mortgage-loan company, trust company, saving and loan association, or other similar financial institution. Contains a limitation of $100,000,000 for such loans, subscriptions to stock, and purchases of capital notes and debentures, under the section. Authorizes the R.F.C. to increase its borrowing power in an amount sufficient to carry out the provisions of the section.

Sec. 6 amends Sec. 5e of the R.F.C. Act, as amended, so as to clarify the definition of the word "assets."

Sec. 8 amends Sec. 1 of the Insurance Company Loan Act (Public No. 35, 73d Congress) so as to increase the amount which the Corporation may have invested in preferred stock and capital notes of insurance companies from $50,000,000 to $75,000,000.

Sec. 10 amends Sec. 5d of the R.F.C. Act, as amended, relative to industrial loans. Authorizes the Corporation, in addition to the loans it is now authorized to make to any industrial or commercial business established prior to January 31, 1934, to make loans to finance companies and other credit institutions, now or hereafter established, engaged in financing or prepared to finance the sale of electrical, plumbing, or air-conditioning appliances or equipment.

Provides that loans under the section shall "be so secured as to reasonably assure repayment of the loans" in lieu of the present requirement that such loans shall be "adequately secured." Eliminates the present restriction of the section that "the aggregate amount of loans to any one borrower under this section shall not exceed $500,000." Extends for 2 years, or until January 31, 1937, the power of the Corporation to make loans under the section.

Sec. 11 authorizes the Corporatien to permit substitution of new obligations (when more desirable than those for which such substitution is made) having different maturities and new terms for any obligations now held by it on account of "self-liquidating" loans made by it under Sec. 201a of the Emergency Relief and Construction Act of 1932.

Sec. 12 amends Sec. 14 of the Industrial Loan Act (Public No. 417, 73d Congress). Strikes out the present security requirement "adequate security based on mineral acreage", and inserts in lieu thereof "sufficient security." Adds a new proviso permitting the Corporation to make loans up to $10,000,000 for the development of gold and silver deposits provided that the Corporation has sufficient reason to believe that a sufficient quantity of ore, or placer deposits, will be developed to "pay a profit upon mining operations."

Sec. 13 authorizes the Corporation to use as general funds for any purpose for which it is authorized by law to make disbursement all receipts arising from the sale of obligations acquired by it.

301. Commodity Credit Corporation.

Status of the Commodity Credit Corporation as an agency of the United States continued until April 1, 1937, or such earlier date as may be fixed by the President, by Sec. 7 of the R.F.C. Extension Act (Public No. 1, approved Feb. 6, 1935)

Public No. 489 (S. 3998) approved April 10, 1936, authorizes the Secretary of Agriculture and the Governor of the Farm Credit Administration to increase the capital stock of the Commodity Credit Corporation by $97,000,000 - same to be taken by R.F.C., within its present authorized limit of outstanding obligations.

302. Disaster Loan Act. Public No. 224 (S. 3269) Approved July 26, 1935.

Amends the Act of April 13, 1934, authorizing the Reconstruction Finance Corporation to make loans to nonprofit corporations for the repair of damages caused by floods or other catastrophes (Public No. 160, 73d Congress) by extending it to the years 1935 and 1936 and remainder of 1934. The original act covered the year 1933 and the months of January and February 1934.

303. Providing for Relief of Public-School Districts and Other Public-School Authorities. Public No. 325 (S.3123) Approved August 24, 1935.

Authorizes and empowers the Reconstruction Finance Corporation to loan in an aggregate not exceeding $10,000,000 to or for the benefit of tax-supported public-school districts or other similar public-school authorities in charge of public schools, to be allocated equitably among the several States and Territories, and the District of Columbia, on the basis of demonstrated need.

Terms and conditions of the loans are outlined. Forbids loans under this Act where any part is to be used for purposes authorized by Sec. 16 of the Loans to Industries Act (Public No. 417, 73d Congress) for payment of teachers' salaries due prior to June 1, 1934.

304. Loans for Repair of Damages by Floods. Public No. 525 (H.R. 11968) Approved April 17, 1936.

Further amends the Act of April 13, 1934 (Public No. 160, 73d Congress) to permit the R.F.C. to make loans to corporations partnerships, etc., for the purpose of financing the repair, construction, reconstruction, or rehabilitation of highways, bridges, power plants, etc., "damaged or destroyed by earthquake,

conflagration, tornado, cyclone, hurricane, flood, or other catastrophe in the years 1935 or 1936", and for the purpose of financing such acquisitions in replacement of structures, buildings, property, etc., destroyed or rendered unfit by reason of the catastrophe, as are deemed by the R.F.C. to be useful or necessary.

Specifies how the obligations shall be secured, and the maturities of such obligations. Limits the aggregate of loans to $50,000,000; and permits disbursements at any time prior to Jan. 23, 1939.

Amends Title I of the National Housing Act, as amended, by adding a new section 6, authorizing and empowering the Administrator to insure approved financial institutions up to 10 percent of the total of loans, etc. made by said institutions, against losses which they may sustain as a result of loans, etc. (made subsequent to date section takes effect and prior to Jan. 1, 1937) for the purpose of financing the restoration, rehabilitation, rebuilding and replacement of improvements on real property and equipment and machinery thereon which were damaged by the above-mentioned forces in the years 1935 and 1936. Terms and conditions of such loans must be satisfactory to the Administrator. Amount of loan is limited to $2,000, except that in case of loans, etc. for purpose of such financing "with respect to apartment or multiple family houses, hotels, business or other commercial buildings, hospitals, orphanages, colleges, schools, churches, or manufacturing or industrial plants" amount may be $50,000.

Amends Sec. 2 of the National Housing Act, as amended to permit a total insurance liability under Sec. 2 and 6 on the aggregate of $100,000,000, and to authorize the Administrator to waive compliance with regulations prescribed by him under which loans, etc. may be insured under these sections, under certain circumstances.

Research, Scientific

305. Authorizing the Department of Commerce to Make Special Statistical Studies. Public No. 74 (H.R. 5444) Approved May 27, 1935.

Authorizes the Department of Commerce, "upon the written request of any person, firm, or corporation, to make special statistical studies relating to foreign trade, domestic trade, and other economic matters falling within the province of the Department of Commerce; to prepare from its records special statistical compilations; and to furnish transcripts of its studies, tables, and other records, upon the payment of the actual cost of such work by the person, firm, or corporation requesting it", etc.

306. Extending the Act Authorizing the Department of Labor to Make Special Statistical Studies. Public No. 34 (S. 857) Approved April 11, 1935.

Extends until April 13, 1937 the Act of April 13, 1934 (Public No. 157, 73d Congress) which was effective for one year only. The Act of April 13, 1934 was similar to the Act above relating to the Department of Commerce except that it authorized the Department of Labor to make special statistical studies relating to employment, hours of labor, wages, and other conditions of employment.

307. Farm Research Act. (Bankhead-Jones Act of 1935) Public No. 182 (H.R. 7160) Approved June 29, 1935.

House Hearings held on H.R. 6981 & H.R. 6123 (275.1 Un3A)
Senate Hearings held on S. 2228 (275.1 Un33D)

Title I

Sec. 1. Authorizes and directs the Secretary of Agriculture to "conduct research into laws and principles underlying basic problems of agriculture in its broadest aspects; research relating to the improvement of the quality of, and the development of new and improved methods of production ef, distribution of, and new and extended uses and markets for, agricultural commodities and byproducts and manufactures thereof; and research relating to the conservation, development, and use of land and water resources for agricultural purposes." This shall be in addition to research provided for under existing law (but both activities shall be coordinated so far as practicable) and shall be conducted by such agencies of the Department of Agriculture as the Secretary may designate or establish.

Sec. 2. Authorizes and directs the Secretary to encourage similar research to be conducted by the Agricultural experiment stations.

Sec. 3. Authorizes an appropriation of $1,000,000 for the fiscal year beginning July 1, 1935, the authorizatien increasing in the amount of $1,000,000 a year for each of the four succeeding fiscal years, and $5,000,000 for each fiscal year thereafter. Authorizes these moneys to be available for the purchase and rental of land, construction, equipment, and maintenance ef buildings, and printing and disseminating the results of research.

Sec. 4. Provides that 40 percent of the sums appropriated by Title I in any fiscal year shall be available for the purposes of Sec. 1 and designated as the "Special research fund, Department of Agriculture", no part of which shall be used except upon approval in writing by the Secretary. One-half of this special fund shall be used for the establishment and maintenance of research laboratories and facilities in the principal agricultural regions, and for the prosecution of research in such laboratories. Not to exceed 2 percent of the sums appropriated may be used for the administration of Sec. 5.

Sec. 5. Provides that 60 percent of the funds appropriated by Title I in any fiscal year shall be available for the purposes of Sec. 2, the allotments to be made on the basis of rural population. Provides that Puerto Rico, the Territories of Hawaii and Alaska, and the States must match these funds and, upon failure to do so, the amount left over may be reallotted to Puerto Rico and the States and Territories up to 20 percent of their original quota, provided they make available an additional amount to match the further allotment. The sums authorized shall be paid in quarterly installments, under the terms of existing law relating to the procedure in the case of experiment-station appropriations, as set forth in the Hatch Act of March 2, 1887, as amended June 7, 1888.

Title II

Sec. 21. Provides for the further development of the coeperative agricultural extension system by authorizing an appropriation for such extension work in agriculture and home economics, and the necessary printing and distribution of information in connection with the same, ef $8,000,000 for the fiscal year beginning

July 1, 1935, and for each succeeding fiscal year an additional $1,000,000 until the total shall amount to $12,000,000 annually, the appropriation to continue in the latter amount for each succeeding fiscal year. The sums appropriated are to be paid to the several States and Hawaii in the same manner as the sums given under the Smith-Lever Act of May 8, 1914, except that (1) $980,000 shall be paid to the several States and Hawaii in equal shares; (2) the remainder shall be paid on the basis of farm population; and (3) the States and Hawaii need not match the appropriations allotted to them, but these appropriations will not become available unless offsets provided for in previous legislation have been fully met.

Sec. 22. In order to provide for the more complete endowment and support of land-grant colleges [entitled to benefits under the Morrill Act of July 2, 1862, as amended and supplemented] an appropriation of $980,000 for the fiscal year beginning July 1, 1935 is authorized to be divided equally among the States and Hawaii, and for the same fiscal year an additional $500,000 is authorized, to be allotted according to population, this additional sum to be increased by $500,000 for each of the two fiscal years following and the authorization then continuing in the sum of $1,500,000.

All grants under Titles I and II are to be in addition to sums authorized by previous Federal legislation.

For appropriation to carry Act into effect see Department of Agriculture and Farm Credit Administration Appropriation Act, fiscal year 1937 (Public No. 637). Second Deficiency Appropriation Act, fiscal year 1935 (Public No. 260) appropriates $9,000,000 to the Department of Agriculture (p. 13) and $980,000 to the Office of Education, Department of Interior (p.16) fiscal year 1936, for carrying out the Act.

308. Science Advisory Board (S.A.B.)

Extended from July 31, 1935, to December 1, 1935 by Executive Order No. 7100, July 15, 1935.

The Science Advisory Board was created by Executive Order No. 6238, July 31, 1933, as amended by Executive Order No. 6725, May 28, 1934, under the jurisdiction of the National Academy of Sciences and the National Research Council, to carry out the work of the National Research Council created in 1916, and to coordinate scientific activities of the various government departments.

Karl T. Compton, Chairman, and 14 other members.

309. Central Statistical Act. Public No. 219 (H.R. 7590) Approved July 25, 1935.

House hearing held on bill (251 Un32)

Senate hearings held on S. 2565 (251 Un33)

Provides for the creation, for a period of five years, of a Central Statistical Committee, consisting of the Secretaries of the Treasury, Agriculture, Commerce, and Labor, and a Central Statistical Board consisting of a chairman appointed by the President, and not exceeding 13 additional members, not less than 10 of which shall be persons already in the service of the United States, to plan and promote the improvement, development, and coordination of,

and the elimination of duplication in, statistical services carried on by or subject to the supervision of the Federal Government, and, so far as may be practicable of other statistical services in the United States. Authorizes the appropriation annually of not to exceed $180,000.

The Board is empowered to investigate and make recommendations with respect to any existing or proposed statistical work carried on by any agency of, or subject to the supervision of, the Federal Government, and with its consent, any non-Federal agency; require any governmental agency to furnish it information, papers, reports, and original records, provided such disclosure is not specifically prohibited by law; plan and promote the economical operation of agencies engaged in statistical work and the elimination of unnecessary work; perform such other duties as the President or the Committee may authorize, and make such reports to the Committee as it may require; and make an annual report to the Committee and to the President.

The Central Statistical Board created by Executive Order No. 6255, dated July 27, 1933, as amended, shall cease to exist when seven members have qualified for membership in the Board and all records, papers, property, and funds of the old Board shall be transferred to the Board, etc.

$70,000 is appropriated for the Central Statistical Board by the Supplemental Appropriation Act, fiscal year 1936 (Public No. 440), and $175,420 by the Independent Offices Appropriation Act, fiscal year 1937 (Public No. 479)

310. Central Statistical Board. Executive Order No. 7287, Feb. 10, 1936.

By authority of Public No. 219 orders that the 13 members of the Central Statistical Board established by the said Act be as follows:

(a) One member shall be designated by each of the following 6 officers from among the officials or employees subject to his direction: Secretaries of the Treasury, Interior, Agriculture, Commerce, Labor, and the Chairman of the Board of Governors of the Federal Reserve System.

(b) 7 members shall be elected by the Chairman, not less than 4 of which shall be persons already in the service of the United States, and at least one shall be a person who is not, during his tenure of membership, a permanent paid employee of the Federal Government. The members shall be selected within 2 months after the date of the organization of the Board, which, for the purposes of this order, shall be the date that the Central Statistical Committee shall declare that 7 members have qualified for membership in the Board.

Term of membership of designated members shall be at pleasure of officer making designation, but shall not exceed 2 years without redesignation. Term of membership of elected members shall be for 2 years unless sooner terminated by President, but members elected in the calendar year 1935 shall be for one year only. If any member shall sever his connection with the department or agency of the Federal Government to which he is attached at the time of

his designation or election, his membership shall become vacant and his successor shall be designated or elected within 2 months after such vacancy, unless the membership of any elected member becomes vacant within 3 months prior to its expiration date, then such membership may be left vacant for the unexpired term. If any membership becomes vacant for any other reason such membership shall be filled within 2 months for the unexpired term.

Stuart A. Rice, Acting Chairman.

Resettlement Administration

311. Resettlement Administration.

Created by Executive Order No. 7027, Apr. 30, 1935, as amended by Executive Order No. 7200, Sept.26, 1935, under authority of the Emergency Relief Appropriation Act of 1935.

Outlines following functions and duties:

"(a) To administer approved projects involving rural rehabilitation, relief in stricken agricultural areas, and resettlement of destitute or low-income families from rural and urban areas, including the establishment, maintenance, and operation, in such connection, of communities in rural and suburban areas.

"(b) To initiate and administer a program of approved projects with respect to soil erosion, stream pollution, sea coast erosion, reforestation, forestation, flood control, and other useful projects.

"(c) To make loans as authorized under said Emergency Relief Appropriation Act of 1935 to finance, in whole or in part, the purchase of farm lands and necessary equipment by farmers, farm tenants, croppers, or farm laborers."

The Administrator is authorized to acquire, by purchase or by power of eminent domain, any real property or any interest therein and improve, develop, grant, sell, lease (with or without the privilege of purchasing), or otherwise dispose of any such property or interest therein, to the extent necessary to carry out provisions of this Executive Order.

Allocates $250,000 from the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11) and provides that separate "allocations will be made hereafter for each of the authorized activities as may be needed."

Rexford G. Tugwell, Under-Secretary of Agriculture, Administrator.

312. Transfers to Resettlement Administration.

Executive Order No. 7028, April 30, 1935 (by authority of Title II, National Industrial Recovery Act.)

1. Transfers "from the Federal Emergency Relief Administration to the Resettlement Administration (a) all the real and personal property or any interest therin, together with all contracts, options, rights, and interests, books, papers, memoranda, records, etc., acquired by the Federal Emergency Relief Administration and the Director of the Land Program...under allocations, allotments, or transfers of funds made to the Federal Emergency Relief Administration under appropriations for carrying out the provisions of the said National Industrial Recovery Act as made by the Fourth Deficiency Act, fiscal year 1933, approved June 16, 1933 (48 Stat. 274, 275), and by the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934 (48 Stat. 1005), and (b) all personnel

now employed under the supervision of the Director of the Land Program", etc.

2. Authorizes "the Administrator of the Resettlement Administration to administer the property transferred to him by this Executive Order and to exercise with respect to any real or personal property or any interest therein, contracts, options, rights, and interests, books, papers, memoranda, and records in connection with such property, all the powers and functions given to the Federal Emergency Relief Administrator and the Director of the Land Program by Executive Order No. 6983 of March 6, 1935, Executive Order No. 6747, of June 23, 1934, the letter from the President to the Secretary of the Treasury of August 28, 1934, allocating funds to the Federal Emergency Relief Administration, and Executive Order No. 6910-B of December 1, 1934." [These Executive Orders are listed under Federal Emergency Relief Administration under subject Unemployment Relief]

3. Transfers and allocates "to the Resettlement Administration all balances of appropriations heretofore made available to, or allotted for expenditure by, the Federal Emergency Relief Administration, under the said National Industrial Recovery Act and the said Emergency Appropriation Act, fiscal year 1935, to be used for the purposes for which said moneys were originally allocated or transferred to the Federal Emergency Relief Administration."

Executive Order No. 7041, May 15, 1935 (by authority of Title II, National Industrial Recovery Act).

Transfers to the Resettlement Administration the Division of Subsistence Homesteads, Department of Interior, including all real and personal property or any interest therein, together with all contracts, options, rights, etc., all personnel now employed under Sec. 208 of Title II, National Industrial Recovery Act, and all balances of appropriations and funds heretofore allotted or made available under Sec. 208 of said Act. Authorizes the Administrator to administer the property, etc., hereby transferred and the activities authorized under the said section 208 in accordance with the provisions of that section and subject to the limitations of Sec. 201 (d) of the National Industrial Recovery Act.

Functions of the Rural Rehabilitation Division, Federal Emergency Relief Administration transferred by order of the Administrator dated June 19, 1935, effective June 30, 1935.

Records of the Land Policy Section, Agricultural Adjustment Administration, transferred to Resettlement Administration by terms of Executive Order No. 7028, Apr. 30, 1935.

313. Resettlement Administration.

Executive Order No. 7143, Aug. 19, 1935, prescribes rules and regulations governing the making of loans by the Resettlement Administration under the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11)

Sec. 1. Provides that loans may be made "(a) for the purpose of financing, in whole or in part, the purchase of farm lands and

necessary equipment by farmers, farm tenants, croppers, or farm laborers, and (b) for such other purposes as may be necessary in the administration of approved projects involving rural rehabilitation or relief in stricken agricultural areas."

Sec. 2. Provides that loans may be made either to individuals or to bona fide agencies or cooperative associations approved by the Administrator. Loans to such agencies or associations shall be made on condition that (a) "they impose not inequitable restrictions upon membership or participation therein" and (b) "they be so conducted under the supervision of the Resettlement Administration as to protect adequately the interests of the members or participants therein."

Sec. 3. Provides that interest rates shall be fixed by the Administrator, shall be not more than 5 or less than 3 percent, and need not be uniform throughout the United States or on loans of different classes. Where circumstances require, Administrator may reduce rate at which unaccrued interest shall be payable on outstanding loans.

Sec. 4. Provides that all loans shall be for a period (not to exceed 40 years) prescribed by the Administrator upon the basis of "(a) the use to which the proceeds thereof are to be put, (b) the financial resources and earning capacity of the borrower, and (c), in the case of loans to finance the purchase of specific property, the probable rate of depreciation, the estimated life thereof, and the amount of the loans as compared with the total purchase price."

Sec. 5. "Unless otherwise authorized by the President, all loans for a period of 2 years or more shall provide for repayment in equal annual installments, which may include interest in the discretion of the Administrator, except that when the loan is for a period of 5 years or more, and in the opinion of the Administrator the financial condition of the borrower so justifies, there need be no requirement that any payment be made on the principal during the first 3 years after the loan is made."

Sec. 6. Upon default Resettlement Administration may "(a) enforce payment by realizing upon the security and by legal proceedings, (b) extend the time of payment where circumstances so justify, or (c) refinance such loan upon terms and conditions not inconsistent with the provisions of this regulation."

Sec. 7. "In the case of any person who has entered into a contract for a loan from any State, rural rehabilitation corporation operating, in whole or in part, with funds directly or indirectly granted by the United States, and who is unable to receive the full amount of the loan from the corporation, the Resettlement Administration, upon receiving an assignment of such contract from the corporation, may complete such loan according to its terms," etc.

314. S.Res. 295 (Agreed to May 8, 1936): (Barbour) [Requesting the Resettlement Administration to report to the Senate the (1) nature and extent of all expenditures made or proposed to be made by it; (2) nature and extent of projects undertaken by it, and advisability of undertaking future projects; (3) effect of each such project on State and local taxation and on local real-estate values; (4) extent to which such projects have benefited and will benefit labor; and (5) circumstances relating to the securing of persons as tenants

or purchasers in connection with such projects, and effect on such persons of becoming such tenants or purchasers.]

Response printed as S.Doc. 213: A Report Covering the Objectives, Accomplishments, and Effects of the Resettlement Program. May 13, 1936.

Rio Grande

315. Providing for Defraying Expenses of the American Section, International Boundary Commission, United States and Mexico. Public Resolution No. 4 (H.J.Res. 58) Approved February 13, 1935.

Authorizes an additional appropriation of $60,000 to defray the expenses of the American section, International Boundary Commission, United States and Mexico, in the conduct of an engineering investigation, study, and report to the Secretary of State to determine the feasibility and best means of effecting the canalization of the Rio Grande, etc.

The $60,000 authorized by this resolution is provided in the State, Justice, Commerce, and Labor Departments Appropriation Act, fiscal year 1936 (Public No. 22)

316. Rio Grande Compact Extension. Public No. 98 (H.R. 7873) Approved June 5, 1935.

Gives the consent and approval of Congress to extension of terms of the Rio Grande compact signed at Santa Fe, New Mexico, on February 12, 1929, by representatives of the States of Colorado, New Mexico and Texas, approved by Act of Congress dated June 17, 1930 (Public No. 370, 71st Congress) and extended for the period of two years from June 1, 1935 to June 1, 1937, by Acts of these three States.

317. Authorizing Construction, Operation, and Maintenance of Rio Grande Canalization Project. Public No. 648 (H.R. 11768) Approved June 4, 1936.

House hearings held.

Authorizes the American Section, International Boundary Commission, to construct and operate (in accordance with the engineering plan to be reported under Public Res. No. 4), a canal on Rio Grande from Caballo Reservoir, N. Mex., to the International Dam near El Paso. Authorizes $3,000,000 therefor, less such sum as may be necessary to complete Rio Grande diversion dam (in addition to the $1,000,000 authorized by Act of August 29, 1935) total cost of both not to exceed $4,000,000. Any part of any appropriation hereunder may be transferred for direct expenditure by Interior Department, pursuant to arrangement between Secretaries of State and Interior, or by direction of the President.

$1,000,000 is appropriated to the American Section, International Boundary Commission, United States and Mexico, for the Rio Grande Diversion Dam, fiscal year 1937 by the First Deficiency Appropriation Act, fiscal year 1936 (Public No. 739)

318. Utilization of Surplus Waters of the San Juan and Animas Rivers. Public No. 747 (S. 3488) Approved June 22, 1936.

Authorizes and directs the Secretary of the Interior to cause an examination and survey to be made to determine the best utilization of the surplus waters of the San Juan River (tributary of the Colorado) and to determine the best possible use of such waters without injury to present users and by diversion if feasible of a portion of such surplus waters to the Rio [illegible] Chama (tributary of the Rio Grande) and to report to Congress. Authorizes an appropriation of $50,000 of which $17,500 may be expended for a similar examination and survey of the surplus waters of the Animas River (tributary of the Rio Grande), with a view to the diversion, if feasible, of a portion of such surplus waters to the Rio Grande River.

Securities

319. Further Regulations Concerning Trading in Securities. Public No. 621 (S. 4023) Approved May 27, 1936.

Amends Sec. 12 (f) of the Securities Exchange Act of 1934 so as to facilitate trading in unlisted securities upon national securities exchanges. No application shall be approved unless the Commission finds continuation or extension of unlisted trading privileges is necessary or appropriate in the public interest or for the protection of investors and all requirements herein outlined are met by the applicant. Commission shall by rules and regulations suspend unlisted trading privileges in whole or in part for any or all classes of securities for a period not exceeding 12 months, if in the public interest or for protection of investors, etc.

Sec. 3. Amends Sec. 15 of the Securities Exchange Act of 1934 to permit only registered brokers or dealers to use an instrumentality of interstate commerce to induce the purchase or sale of any security. The Commission may require any necessary information concerning such brokers or dealers before permitting them to be registered, and applications may be rejected and registrations revoked if it is in the public interest to do so.

All issuers of securities registering pursuant to the Securities Act of 1933, as amended, with certain exceptions, are required to file with the Commission such information as the Commission may prescribe for the protection of investors, and penalties are imposed for failure to file.

James M. Landis, Chairman, Securities and Exchange Commission.

320. H.Doc. 85. Letter from the Chairman of the Securities and Exchange Commission transmitting the Commission's report of the investigation of stock exchange government, together with its recommendations. Submitted in pursuance of Sec. 19 (c) of the Securities Exchange Act of 1934. Jan. 25, 1935.

321. H.Res. 412 (Agreed to June 15, 1934, 73d Congress) as supplemented by H.Res. 39 (Agreed to Jan. 8, 1935), H.Res. 79, and H.Res. 354 (Agreed to August 23, 1935) of the 74th Congress: [Appointing the Select Committee to Investigate Real-Estate Bondholders' Reorganizations and authorizing it to investigate activities and practices in defaulted securities and/or reorganizations, protective committees, or similar or other groups, receivers, trustees, and attorneys, including their fees and expenses and the method of their appointment, and to report to the Congress the results of its study, together with recommendations for necessary legislation, etc.]

Members of the Select Committee are: Messrs. Sabath, Fuller, Malley, Kennedy, Culkin and Dirksen.

Further expenditures provided by H.Res. 352.

Preliminary report pursuant to resolution H.Res. 412, 73d Congress printed as H.Rept. 35: Investigation of Real-Estate Bondholders' Reorganizations. Jan. 29, 1935.

Supplemental report printed as H.Rept. 35, pt. 2 under same title. June 19, 1936.

House hearings held (284 Un353 16pts.)

Shipping

322. Coastwise Trade Act of 1935. Public No. 191 (H.R. 115) Approved July 2, 1935.

Amends Sec. 27 of the Merchant Marine Act, 1920, so as to prohibit (1) vessels built in or documented under the laws of the United States and later sold to foreign owners; and (2) vessels built in the United States for foreign countries or foreign purchasers, from engaging in the coastwise trade of the United States.

323. Amending the Interstate Commerce Act. Public No. 261 (S. 1633) Approved August 12, 1935.

Senate hearings held on bill (286 Un39A 1935)

House hearings held on H.R. 5361.

Amends Sec. 3 (1) of the Interstate Commerce Act to include association, port, port district, gateway, and transit point, to restore to the Interstate Commerce Commission the power to remove undue preference or prejudice against ports which it had exercised for many years prior to the 5 to 4 decision of the Supreme Court in Texas & Pacific Ry. Co. et al. v. United States (289 U.S. 627, May 29, 1933), holding that the word "locality" did not include a "port" with respect to export and import traffic routed through such a port.

324. Amending Merchant Marine Act, 1920. Public No. 520 (S. 754) Approved April 16, 1936.

Amends Sec. 21, act of June 5, 1920 (41 Stat. L. 997) by delaying extension of the coastwise laws of the United States to the Virgin Islands until President by proclamation shall so declare and fix a date for going into effect thereof.

325. Carriage of Goods by Sea Act. Public No. 521 (S. 1152) Approved April 16, 1936.

This Act regulates risks, liabilities, and immunities of carriers by sea and applies to any shipments represented by a bill of lading of similar document, except as to live animals and deck cargo.

Carrier is required: (1) To exercise due diligence to make ship seaworthy, and properly man, equip, and supply it; and to make cargo space fit and safe; (2) to properly and carefully load, carry, etc., and discharge cargo; (3) to issue on demand a bill of lading, showing identification marks, number of packages, and apparent condition. Such bill shall be prima facie evidence of receipt of goods as therein described; shipper shall indemnify carrier for loss arising from inaccuracy of descriptions, etc., furnished by him (except where by custom of trade, weights are ascertained by a third party); and carrier shall be liable for loss or damage only if notice is given at time of delivery (or within 3 days thereafter, if damage is not apparent). Failure to give notice shall not affect right of shipper to bring suit within 1 year from delivery.

Shipper may require issue of a "shipped" bill of lading, which, at the option of the carrier, may be a document of title taken up by the shipper and noted at port of shipment with ship and date of sailing. Clauses in contracts lessening liability as provided in this Act shall be null and void.

Carrier is not liable for loss arising from unseaworthiness unless due to want of due negligence; nor for loss caused by default of master, fire, perils of the sea, act of God, inherent defect of goods, insufficiency of packing or marking, etc., or other cause arising without fault and privity of carrier; nor for reasonable deviation; nor in any event to an amount more than $500 per package unless value declared and inserted in the bill of lading, nor in any case for more than actual damages. Goods of an explosive or dangerous nature, shipped without knowledge of their character on part of carrier, may be landed or destroyed without compensation to shipper, who is made liable for expenses arising from such shipment.

Carrier may surrender rights or increase liabilities by agreement embodied in bill of lading; and may, as to particular goods, make special agreements embodied in nonnegotiable receipts.

Title II

Act is not to be construed as permitting discriminations by carriers between competing shippers.

Adds a proviso at end of paragraph 4, Sec. 25, Interstate Commerce Act, making bills of lading issued by railroads for through rail and water shipments, subject to the provisions of the Act.

President may suspend provisions of Title I on certification by the Secretary of Commerce that the foreign commerce of the United States is prejudiced by its operation, or by the laws of any foreign country relating to carriage of goods by sea, etc.

Act shall take effect 90 days after approval, but shall not apply for one year after approval to contracts made before date of approval, nor to any bill of lading or similar document of title issued in pursuance of any such contract, whenever issued.

326. Amending The Shipping Act, 1916, as amended. Public No. 685 (S. 3467) Approved June 16, 1936.

House hearings held.

Amends Sec. 16 of the Shipping Act of 1916.

Penalizes (fine of not more than $5,000) any person (including shippers, brokers, or their employees, etc.) who by false billing, etc., knowingly and willingly, directly or indirectly, obtains transportation by water for property at less than the regular rates; etc.

327. Transportation of Bonded Merchandise. Public Resolution No. 108 (H.J.Res. 589) Approved June 19, 1936.

Authorizes the Secretary of the Treasury to permit bonded merchandise which has been entered and examined for customs purposes to be transported by bonded cartmen or lightermen between the ports of New York, Newark, and Perth Amboy (all in Customs Collection District No. 10, New York)

328. Merchant Marine Act, 1936. Public No. 835 (H.R. 8555) Approved June 29, 1936.

Hearings held on S. 2582 (286 Un32M 5 parts)

Hearings held on H.R. 7521 (286 Un36T)

Title I

Declares it to be the policy of the United States to foster the development and encourage the maintenance of a merchant marine sufficient to carry its domestic water-borne commerce and a substantial portion of its foreign commerce, capable of serving as a naval and military auxiliary in a national emergency, owned and operated under the United States flag by citizens of the United States, etc.

Title II

Creates a United States Maritime Commission, composed of 5 members, appointed by the President with Senate consent, at salaries of $12,000 annually each, etc. Dissolves the United States Shipping Board Merchant Fleet Corporation and transfers to the new Commission all the functions, powers, and duties vested in it by the Shipping Act, 1916, the Merchant Marine Acts of 1920 and 1928, the Intercoastal Shipping Act, 1933, and amendments to those Acts, and now vested in the Department of Commerce pursuant to Sec. 12 of the Executive Order of June 10, 1933. Prohibits any further construction loans under Sec. 11 of the Merchant Marine Act, 1920, as amended. Authorizes the President, after the expiration of 2 years, to transfer to the Interstate Commerce Commission any or all of the regulatory powers, duties, and functions vested in the Commission by this title.

Authorizes the appropriation of necessary sums to carry out the Act, and makes available certain unexpended balances of appropriations available for expenditure by the United States Shipping Board Bureau and United States Shipping Board Merchant Fleet Corporation and for expenditure by the Post Office Department under contracts authorized by the Merchant Marine Act, 1928.

Makes it the duty of the Commission to make a survey of the American merchant marine, as it now exists, and to study, perfect, and adopt a long-range program, for replacements and additions.

Authorizes and directs it to investigate, determine, and keep current records of: Ocean services, routes, and lines from United States ports to foreign markets; type, size, speed, and other requirements of vessels; relative costs of construction, marine insurance, maintenance, repairs, wages, etc. of United States and foreign vessels; governmental aid subsidies granted by foreign governments; number, location, and afficiency of shipyards; what provisions of this and other Acts should be made applicable to aircraft; advisability of legislation authorizing Commission, in an economic or commercial emergency, to aid the farmers and cotton, coal, lumber, and cement producers in transportation and landing of their products in any foreign port, etc.; new designs, methods of construction, and equipment; possibilities of promoting the carrying of trade in American vessels; and intercoastal and inland water transportation.

Commission is authorized and directed to: Study all maritime problems arising in carrying out the policy of the Act; study and cooperate with vessel owners in devising means by which - (1) importers and exporters can be induced to give preference to United States vessels, and (2) there may be constructed trans-oceanic aircraft service; collaborate with vessel owners and shipbuilders in developing plans for economical construction, etc.; establish and maintain liaison with other boards, commissions, departments, etc., of the U. S. Government, and representatives of trade organizations concerned, directly, or indirectly, with movement of commodities, etc.; investigate discriminatory rates, charges, classifications, and practices; and to make recommendations to Congress.

Commission shall make studies of and make a report to Congress on - : (a) the scrapping or removal from service of old or obsolete merchant tonnage; (b) tramp shipping service; (c) relative cost of construction or reconditioning of comparable ocean vessels in shipyards in various coastal districts of the United States, etc.

Title III

Authority is given the Commission to investigate the employment and wage conditions in ocean-going shipping and to incorporate in its subsidy and private charter operation contracts minimum-manning scales and minimum-wage scales and reasonable working conditions for all officers and crews employed on all types of vessels receiving an operating-differential subsidy.

Title IV

Transfers to and vests in the Commission all powers and duties now vested by law in the Postmaster-General, with respect to existing ocean-mail contracts, executed pursuant to title IV of the Merchant Marine Act, 1928, and provides for their termination after June 30, 1937, providing for settlement agreements, and bringing of suit before Jan. 1, 1938.

Titles V-VIII (pp. 12-34)

Provide for construction-differential subsidies, operating-differential subsidies, and private charter operation of vessels constructed by the Commission. Specifies conditions under which such subsidies may be granted and provisions of contracts executed.

Title IX

Provides that officers or employees of the United States shall travel and transport personal effects on United States ships (where such are available) while on official business.

Makes it lawful for the Commission to requisition vessels documented under the laws of the United States during any national emergency.

Repeals the following Acts: Sections 3 to 8, 10, 11, 35 and 43 of the Shipping Act, 1916, as amended; subsection (b) (4) of Sec. 2, Sections 3, 11, 14 and 35 of the Merchant Marine Act, 1920, as amended; Sections 201, 301, 302, 401 to 413, 601, and 702 of the Merchant Marine Act, 1928, as amended, (except that contracts under Sections 401 to 413 shall remain in effect subject to further provisions of this Act); and last sentence of Sec. 3 of the Intercoastal Shipping Act, 1933.

Except as otherwise provided Act shall take effect 30 days after a majority of the members of the Commission have taken oath of office.

329. H.Doc. 118. Message from the President of the United States transmitting views and two reports on the subject of adequate merchant marine. March 4, 1935.

330. S.Doc. 60. Merchant Marine Policy and Shipbuilding Subsidies. Memorandum on France, Germany, Great Britain, Italy, and Japan, prepared for the Senate Committee on Commerce in the consideration of S. 2582, a bill to develop a strong American merchant marine, etc. Prepared by the Department of Commerce through J. E. Saugstad. May 14, 1935.

331. S.Rept. 898. Investigation of Air Mail and Ocean Mail Contracts. Preliminary report of the Special Committee of the Senate to Investigate Air Mail and Ocean Mail Contracts, pursuant to S. Res. 349, 72d Congress, and S. Res. 143, 73d Congress. June 18, 1935.

"This preliminary report is confined to a discussion of foreign ocean mail contracts and the problem of obtaining and maintaining an American Merchant Marine."

332. S.Res. 307 (Agreed to June 20, 1936): (Barkley) [Authorizing and directing a special committee of 5 Senators to make a full and complete investigation of the ocean trade routes between ports of the United States and South America, and to investigate the service now maintained on such routes, the contracts, transactions, and obligations between the United States and any steamship line and its trustees, the operation of all American-flag services on such routes, the necessity or advisability of the construction of additional combination cargo and passenger ships for such routes, etc.; and shall investigate and report upon the recommendations contained in the report of the Secretary of Commerce transmitted to the Senate on Feb. 10, 1936.]

333. S.Res. 260 (Agreed to April 24, 1936): (Robinson) [Requesting the Secretary of Commerce to furnish to the Senate certain information relative to the operation of foreign and American ships engaged in foreign trade, including: A list of all the Acts of Congress governing the operation of American ships in foreign trade; the percentage of American trans-Atlantic and trans-Pacific cargo carried by American-flag ships and by foreign-flag ships during years 1918 to 1935; the profit or loss of each of the American lines operating American-flag tonnage and operating expenses and gross incomes, for years 1926 to 1935, etc.]

Response printed as S. Doc. 224: American Ships in Foreign Trade. May 18, 1936.

Social Security

334. Social Security Act (Wagner-Lewis) Public No. 271 (H.R. 7260) Approved August 14, 1935.

House Hearings held on H.R. 10, 185, 2827, and 2859 (284.6 Un33Un) and on H.R. 4120 (284.6 Un39E 16pts.)

Senate Hearings held on S. 1130 (284.6 Un395)

Title I. Authorizes the appropriation of $49,750,000 for the fiscal year ending June 30, 1936, and a sufficient sum to carry out the purposes of this title for each fiscal year thereafter, for grants to States, having State plans for old-age assistance which fulfill certain conditions as to residence and age (65 years or more), etc. Payments to States shall equal 1/2 the amount expended by the State up to $30 monthly per individual.

Title II. Creates an "Old-Age Reserve Account" in the Treasury of the United States and authorizes an annual appropriation to the account of an amount sufficient to provide for payments under this title.

Provides monthly payments for life to qualified workers who are 65 years or more on January 1, 1942, or become 65 years after that date, the amounts ranging from $10 to $85 a month depending upon the total amount earned by the beneficiary between December 31, 1936 and the date of retirement. The amount earned, however, must be at least $2,000, and beneficiary must have worked at least one day in each year of any 5 years during this period. No credit is given for wages earned outside the United States, or as agricultural labor, domestic service in a private home, casual labor not in the course of the employer's trade or business, officer or member of the crew of a vessel sailing under the laws of the United States or a foreign country, employee of the Federal Government, a State, or political subdivision of a State, or an employee of a charitable organization.

An individual not qualifying for benefits, upon attaining 65 years of age, shall receive an amount equal to 3 1/2 percent of the total wages received by him after December 31, 1936.

In case of death of the employee before January 1, 1942, his estate will receive 3 1/2 percent of wages received by him between December 31, 1936 and the time of his death. In case of death of beneficiary after January 1, 1942, his estate will receive 3 1/2 percent of wages received by him from December 31, 1936 to age 65 years minus amount already paid beneficiary.

Title VIII. Provides for levy, collection and payment into the Treasury of a tax on employees (to be deducted from wages) of 1 percent during calendar years 1937, 1938 and 1939; of 1 1/2 percent during next 3 years; of 2 percent during calendar years 1943, 1944, and 1945; of 2 1/2 percent during the next 3 years; and of 3 percent after December 31, 1948. Employers shall pay an excise tax beginning January 1, 1937, having the effect of matching the employees' tax.

Title III. Authorizes the appropriation of $4,000,000 for the fiscal year ending June 30, 1936, and $49,000,000 for each fiscal year thereafter, for grants to States having unemployment compensation laws approved under Title IX.

Title IX. Provides that on and after January 1, 1936, every employer of 8 or more employees working on each of 20 days in the year, each day being in a different week, must pay a tax on wages paid his employees of 1 percent for the calendar year 1936, 2 percent for the calendar year 1937, and 3 percent thereafter.

Establishes in the Treasury of the United States an Unemployment Trust Fund and authorizes the Secretary of the Treasury to hold in it all moneys deposited by a State agency from a State employment fund.

State laws for unemployment compensation must provide among other things that no compensation will be paid until 2 years after contributions are required to start under the State law. Unemployment payments shall not be refused an individual for not accepting new work if: The position offered is vacant due to a strike, lockout, or other labor dispute; the wages, hours, or other conditions of the new work are substantially less favorable than those prevailing for similar work in the locality; or, if as a condition of employment the employee is required to join a company union or to resign from or refrain from joining any bona fide labor organization. The following classes of employees are not entitled to compensation: agricultural; domestic in private homes; officers or members of crews on vessels sailing waters of United States; those in employ of their son, daughter, husband, or wife, and a son or daughter under 21 years in employ of father or mother; Federal, State, city, or township; and charitable organizations.

Titles IV-V, and X. Autherize appropriations for the fiscal year ending June 30, 1936, for payments to States having State plans as follows: $24,750,000 for aid to dependent children; $3,800,000 for promotion of health of mothers and children and $2,850,000 for extension and improvement of medical, surgical and corrective services for crippled children (especially in rural areas and areas suffering from severe economic distress), the State plans to be approved by the Chief of the Children's Bureau; and $3,000,000 for aid to the blind. In the case of aid to dependent children and to the blind a sum sufficient to carry out the purposes of the title is authorized fer each fiscal year thereafter. In the case of aid to the blind payments to States shall equal 1/2 the amount expended by the State up to $30 monthly per individual, and in the case of dependent children they shall equal 1/3 the amount expended by the State up to $18 a month for one child and $12 for each additional child in the same household. State plans in both cases must contain certain residence and other requirements.

In the case of maternal and child health and aid to crippled children payments to States shall equal 1/2 the amount expended by the State and, the appropriation authorized for each fiscal year thereafter is the same as the original appropriation. The allotments are to be made by the Secretary of Labor, $20,000 to each State in the case of both, and the remainder on the basis of number of births in the case of child health, and on the basis of need in the case of crippled children.

Title V. Also authorizes an appropriation of $1,500,000 for each fiscal year beginning with the year ending June 30, 1936 for enabling the United States Children's Bureau to cooperate with State public-welfare agencies in protection and care, especially in rural areas, of homeless, dependent, and neglected children, and children in danger of becoming delinquent. Allotments are to be made by the Secretary of Labor, $10,000 to each State, and remainder on basis of joint plans between the two agencies, Authorizes an appropriation of $841,000 for the fiscal years ending June 30, 1936 and 1937, and an appropriation of $1,938,000 for each fiscal year thereafter, to supplement and strengthen State vocational rehabilitation of the physically disabled, and to continue and carry out the provisions of the Vocational Rehabilitation Act of June 2, 1920, as amended.

Title VI. Authorizes an appropriation of $8,000,000 for each fiscal year beginning with the fiscal year ending June 30, 1936 for assisting States, counties, health districts, and other political subdivisions of States in establishing and maintaining adequate public-health services, including training of personnel. Allotments are to be made by the Surgeon General of the Public Health Service. Authorizes an appropriation of $2,000,000 for each fiscal year beginning with the fiscal year ending June 30, 1936 for expenditure by the Public Health Service for investigation of disease and problems of sanitation.

Title VII. Creates a Social Security Board of 3 members to be appointed by the President with Senate consent, to administer the Act. State plans must be approved and allotments made by the Board unless the agency is otherwise specified.

John G. Winant, New Hampshire, Chairman, Arthur J. Altmeyer, Wisconsin, and Vincent Morgan Miles, Arkansas, members, Social Security Board.

Message of the President of the United States recommending legislation on social security, Jan. 17, 1935, was printed as H.Doc. 81.

The activities of The Advisory Council on Economic Security, the Committee on Economic Security, and Technical Board on Economic Security ceased when the President signed the Social Security Act.

335. The Supplemental Appropriation Act, fiscal year 1936 (Public No. 440) appropriates the following amounts to the Social Security Board as authorized by the Social Security Act: $2,250,000 for grants to States for unemployment compensation administration; $5,000,000 for grants to States for aid to dependent children; $2,000,000 for grants to States for aid to the blind; and $1,000,000 for salaries and expenses.

It also appropriates $150,000, Bureau of the Census, for salaries and necessary expenses for searching census records and supplying information incident to carrying out the provisions of the Act; $350,000 for Office of Education, for grants to States for coeperative vocational rehabilitation of persons disabled in industry, and $4,500 for salaries and expenses, for carrying out the provisions of Sections 531 (a) and (b) of the Act; to the Department of Labor for grants to States; $1,580,000 for maternal and child-health service, $1,187,000 for services for crippled children, $625,000 for child-welfare, and $150,000 for salaries and expenses, maternal and child welfare, authorized by Title V of the Act; and to the Public Health Service: $3,333,000 for grants to States for public-health work and $375,000 for diseases and sanitation investigations, authorized by the Act.

The First Deficiency Appropriation Act, fiscal year 1936 (Public No. 739) appropriates the following amounts to the Social Security Board for the fiscal year 1937: $18,400,000 for salaries and expenses; $85,000,000 for grants to States for old-age assistance; $29,000,000 for grants to States for unemployment compensation administration; $35,000,000 for grants to States for aid to dependent children; $8,000,000 for grants to States for aid to the blind; and $12,400,000 for wage records.

The First Deficiency Appropriation Act, fiscal year 1936 (Public No. 739) appropriates to the Treasury Department $265,000,000 for the old-age reserve account established under section 201 (a) of the Act.

336. H.Res. 418 (Agreed to Feb. 19, 1936): (Bell) [Instructing a select committee of 8 Members of the House to inquire into the acts and conduct of any person, partnership, group, trust, association, or corporation claiming or purporting to promote, organize, or further old-age pension schemes and to inquire into the history and records of the various operators, promoters, or schemers now engaged in promoting such schemes, and to inquire into their various methods of raising and collecting money, etc. The committee shall have the right to report to the House at any time.]

Members of the committee appointed pursuant to the resolution are: Messrs. Bell, Lucas, Gavagan, Tolan, Hollister, Ditter, Cellins and Hoffman.

337. H.Res. 443 (Agreed to March 10, 1936): (Bell) [Instructing a select committee of 8 Members of the House to inquire into old age pension plans with respect to which legislation has been submitted to the House (particularly that embodied in H.R. 7154) with special reference to the acts and conduct of any person, partnership, group, trust, association, or corporation claiming or purporting to promote, organize, or further old-age pension legislation or schemes, etc. Committee shall have right to report to House at any time.]

Members of the committee appointed pursuant to the resolution are the same as for H.Res. 418 above.

House hearings held pursuant to resolution. (284.6 Un332 5pts.)

Report of the Committee as directed by H.Res. 443 printed as H. Rept, 2857: Investigation Of Old Age Pension Plans. May 28, 1936.

338. Amending the Code of Laws for the District of Columbia in Relation to Providing Assistance Against Old-Age Want. Public No. 319 (H.R. 6623) Approved August 24, 1935.

Establishes a system of old-age assistance for the District of Columbia. An applicant must be a citizen of the United States; be 65 years of age or more; have resided in the District for 5 years or more within the 9 years preceding application, and continuously for one year immediately preceding; etc. Act takes effect 90 days after passage.

339. District of Columbia Unemployment Compensation Act. Public No. 386 (H.R. 7167) Approved August 28, 1935.

Relates to employment after December 31, 1935. Excepts: Domestic service in a private home; casual labor not in course of employer's trade or business; service performed by an individual in employ of his son, daughter, or spouse, and service performed by child under age of 21 in employ of father or mother; service performed in employ of United States Government or of an instrumentality of the United States; service performed in employ of a Senator, Representative, Delegate, or Resident Commissioner, insofar as it directly assists him in carrying out his legislative duties; and service performed in the employ of the District as a school officer or teacher, a member of the police or fire department, or by an individual who is subject to the Retirement Act of May 22, 1920.

Provides for employer contributions at rate of 1 percent during the calendar year 1936, 2 percent during 1937, 3 percent during years 1938, 1939, and 1940, etc.

Provides for amount and duration of, method of paying, and eligibility and disqualification for benefits, reciprocal agreements with States, etc.

Public No. 446 (H.R. 10929) approved Feb. 13, 1936, amends Sec. 1 (b) of this Act by adding to the exceptions: Service performed in employ of religious institutions and schools maintained by them; and colleges or universities, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

Soil Conservation

340. Soil Conservation Act. Public No. 46 (H.R. 7054) Approved April 27, 1935.

Senate Hearings held on bill (56.7 Un3)
House Hearings held on bill (56.7 Un32)

Sec. 1. Recognizes that wastage of soil and moisture resulting from soil erosion is a menace to national welfare. Declares it to be the policy of Congress to provide permanently for the control and prevention of soil erosion in order to preserve natural resources, control floods, prevent impairment of reservoirs, maintain the navigability of rivers and harbors, protect public health, public lands, and relieve unemployment; and authorizes the Secretary of Agriculture to coordinate and direct all activities with relation to soil erosion. The Secretary is authorized to conduct soil erosion surveys, investigations and research, publish results

of these, disseminate information, and conduct demonstrational projects; to carry out preventive measures, including engineering operations, methods of cultivation, growth of vegetation, and changes in use of land; to cooperate with any agency or person, including the furnishing of financial or other aid; and to acquire lands, or rights or interests therein, by purchase, gift, condemnation, or otherwise when necessary for the purposes of this Act.

Sec. 2. Authorizes the performance of this work on land owned or controlled by the United States or any of its agencies, with the cooperation of the agency having jurisdiction thereof, and on other lands, upon obtaining proper consent or the necessary rights or interests in such lands.

Sec. 3. Provides that, in extending the benefits of the work to non-Government lands, the Secretary may require the enactment and enforcement of State and local laws imposing suitable permanent restrictions on the use of such lands and otherwise providing for the prevention of soil erosion; agreements or covenants as to the permanent use of such lands; and contributions in money, services, materials, etc.

Sec. 4. Authorizes the Secretary to secure the cooperation of any governmental agency; make personnel appointments under certain conditions; and make expenditures for personal services, rent, purchase of books, printing and binding, etc.

Sec. 5. Directs the Secretary to establish an agency to be known as the "Soil Conservation Service", and permits him to utilize the Soil Erosion Service, together with such personnel thereof as he may determine, makes unexpended balances of funds heretofore allotted to said organization available until June 30, 1937, and requires the Secretary to assume all obligations incurred by said organization prior to the transfer to the Department of Agriculture. Funds provided by the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11) for soil erosion shall be available for expenditure under the provisions of this Act; and in order that there may be proper coordination of erosion-control activities the Secretary may transfer to the "Soil Conservation Service" such functions, funds, personnel, and property of other agencies in the Department of Agriculture as he may from time to time determine.

Sec. 6. Authorizes appropriations from time to time as determined necessary by Congress.

H.H. Bennett, Chief, Soil Conservation Service.

The Supplemental Appropriation Act, fiscal year 1936 (Public No. 440) appropriates $6,284,000 for salaries and expenses for carrying out the provisions of the Soil Conservation Act (Public No. 46). Provides that "no building shall be erected hereunder at a cost in excess of $2,500 except the following: Ten at not to exceed $8,000 each, twenty-four at not to exceed $5,000, eleven at not to exceed $3,750 each, and one at not to exceed $30,000."

341. Soil Erosion Service.

Transferred from the Department of the Interior to the Department of Agriculture by Administrative Order of March 25, 1935, signed by the Secretary of the Interior, effective same date.

342. Soil Conservation and Domestic Allotment Act. Public No. 461 (S. 3780) Approved February 29, 1936.

Senate hearings held entitled: Substitute Legislation for the Invalidated Agricultural Adjustment Act (281.12 Un3S)

Amends the Soil Conservation Act (Public No. 46) by adding Sections 7 to 17 at the end thereof. Adds the following to the purposes of the Act: "(1) Preservation and improvement of soil fertility; (2) promotion of the economic use and conservation of land; (3) diminution of exploitation and wasteful and unscientific use of national soil resources; (4) the protection of rivers and harbors against the results of soil erosion in aid of maintaining the navigability of waters and water courses and in aid of flood control; and (5) reestablishment" as rapidly as practicable "of the ratio between the purchasing power of the net income per person on farms and that of the income per person not on farms that prevailed during the five-year period August 1909-July 1914, inclusive," as determined by statistics of the U.S.D.A., "and the maintenance of such ratio." The powers conferred on the Secretary of Agriculture shall be used "to assist voluntary action" to effectuate these purposes, and "shall not be used to discourage the production of supplies of foods and fibers sufficient to maintain normal domestic human consumption" in the period 1920-29, taking into account population, quantities forced into domestic consumption by decline in exports, current trends in domestic consumption and exports, and quantities of substitutes available for domestic consumption within any general class of food commodities. Due regard shall be given to the maintenance of a continuous and stable supply of agricultural commodities adequate to meet consumer demand at prices fair to producers and consumers.

Secretary shall cooperate with States, in the execution of State plans, by making grants.

A State shall receive payments, for year to which plan is applicable, if its plan is approved by the Secretary. The plans must provide for an administrative agency approved by the Secretary, such methods of administration and participation in administration by county and community committees or associations of agricultural producers organized for such purpose, as Secretary finds necessary, and for submission of reports in compliance with prescribed requirements.

Upon approval of any State plan for any year the Secretary shall make an allocation, one-fourth of which shall be paid at time of approval, and the balance in installments. Further installments shall not be paid if the Secretary finds there has been a substantial failure to carry out the plan according to its terms, "or that further operation of the plan according to its terms will not tend to effectuate the purposes of this section," and no amount shall be paid under any installment in excess of amount "necessary for the effective carrying out of the plan during the period to which the installment relates."

By November 1 of each year the Secretary shall apportion the funds among the States available during the next calendar year, taking into consideration the acreage and value of major soil depleting and major export crops, as well as "acreage and productivity of land devoted to agricultural production (including dairy products) in the respective States during a representative period." Funds for 1936 may be apportioned at any time during 1936 and those available for 1937 at any time during 1937. Where funds are apportioned to a State, and amount is not required to carry out the plan or no plan has been approved, the funds shall be available for carrying out the provisions of the Act.

To provide States adequate opportunity for executing their plans, the Secretary is authorized, until January 1, 1938, to make payments or grants to producers, including tenants and sharecroppers, to effectuate the purposes of the act. The amount of the payment is to be determined by (1) the treatment or use of land soil restoration, soil conservation, or prevention of erosion, (2) changes in use of land, including under both (1) and (2) the productivity of the land affected by the farming practices adopted during the year with respect to which such payment is made, (3) the percentage of a producer's "normal production of any one or more agricultural commodities designated by the Secretary which equals that percentage of the normal national production of such commodity, or commodities required for domestic consumption, or (4) any combination of the above." Any payment or grant shall be conditioned upon the utilization of the land in conformity with farming practices which the Secretary finds tend to effectuate the purposes of the Act. The Secretary shall, as far as practicable, protect the interests of tenants and sharecroppers, and small producers; shall not have power to enter into any contract binding upon any producers or to acquire any land or any right or interest therein; is authorized to utilize county and community committees of agricultural producers and the agricultural extension service, or other approved agencies; and shall encourage and provide for soil conserving and rebuilding practices rather than the growing of soil depleting commercial crops.

Authorizes the Secretary to conduct surveys, investigations, and research relating to the conditions and factors affecting, and methods of accomplishing most effectively the purposes of the Act and to make public such information.

Defines "agricultural commodity" as "any such commodity and any regional or market classification, type or grade thereof."

Funds may be allotted to the bureaus and offices of the Department of Agriculture and may be transferred to agencies of the Federal or State Governments requested to cooperate or assist.

Secretary is authorized to use part of the appropriation for expansion of domestic and foreign markets, or for seeking new or additional markets or for the removal or disposition of surpluses of agricultural commodities or the products thereof.

Secretary shall use the Agricultural Adjustment Administration for the execution of this Act when he deems it appropriate.

Limits appropriation for any fiscal year and amount of obligations incurred in any calendar year to a maximum of $500,000,000.

The Act shall apply to the United States, Alaska, Hawaii and Puerto Rico.

Appropriates $2,000,000 of appropriation provided by the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11) for wind-erosion control in the Southern Great Plains area.

Reappropriates certain unexpended balances of the Cotton-Cattle-Dairy Relief Resolution (Public Resolution No. 27), 73d Congress) and the Amendments to the Agricultural Adjustment Act (Public No. 320). Amends Sec. 32 of the Amendments to the Agricultural Adjustment Act, and Sec. 22 of the Agricultural Adjustment Act, as amended.

The Independent Offices Appropriation Act, fiscal year 1937 (Public No. 479) appropriates $440,000,000 to enable the Secretary of Agriculture to carry into effect the provisions of Sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act (Public No. 461), together with not to exceed $30,000,000 of the funds made available under the head "Payments for Agricultural Adjustment" in the Supplemental Appropriation Act, fiscal year 1936; to remain available until June 30, 1938, for compliances under said Act in the calendar year 1936. No part of the appropriation shall be available after June 30, 1937, for salaries and other administrative expenses except for payments of obligations therefor incurred prior to July 1, 1937. Permits transfer of sums to the General Accounting Office for administrative expenses in auditing payments. For hearings on this provision see Supplemental House hearings on the Independent Offices Appropriation Act, fiscal year 1937.

The First Deficiency Appropriation Act, fiscal year 1936 (Public No. 739) makes the above appropriation made by the Independent Offices Appropriation Act, 1937, available to the Department of Agriculture for the purposes of carrying out the Soil Conservation and Domestic Allotment Act with respect to land devoted to growing trees for the production of gum turpentine and gum rosin.

343. Amending Section 11 of the Soil Conservation and Domestic Allotment Act. Public Resolution No. 131 (S.J.Res. 291) Approved June 24, 1936.

Amends Sec. 11 so as to permit funds available for carrying out the Act to be available for payments to committees or associations of producers to cover estimated administrative expenses in cooperating in carrying out the Act. The Secretary may prescribe that all or part of such estimated expenses may be deducted pro rata from the payments or grants made to the members therof, and may make such payments in advance of performance by the members thereof of the things that entitled the members to their payments or grants.

Sugar

344. S.Res. 41 (Agreed to January 14, 1935): (Vandenberg) Requesting certain information from the Secretary of Agriculture concerning the 1934 Cuban sugar crop and the alleged December corner in sugar futures.

Response printed as S.Doc. 44: Corner in December Sugar Futures. March 26, 1935.

345. S.Res. 95 (Agreed to March 6, 1935): (Vandenberg) [Requesting information from the Secretary of the Interior regarding (a) contemplated plans for new loans, grants, or subsidies to sugar producers in Puerto Rico; (b) any pending proposals for supporting sugar production in Puerto Rico with public money drawn either from the sugar processing tax or from the Public Works Administration or from any new instrumentality which may be created under the so-called "work-relief" bill.]

346. S.Res. 105 (Agreed to April 9, 1935): (Vandenberg) [Requesting information from the Secretary of Agriculture regarding contemplated plans, if any, for loans, grants, or subsidies to sugar producers in Puerto Rico or for supporting or reorganizing sugar production by the so-called "Chardon Plan" or otherwise in Puerto Rico with public money drawn from the sugar processing tax or any other source.]

Tariff

347. Providing for Duty-Free Return of Domestic Animals Crossing into Foreign Countries. Public No. 75 (H.R. 6143) Approved May 27, 1935.

Provides that, notwithstanding the provisions of paragraph 1606 (c) of title II of the Tariff Act of 1930, horses, cattle, sheep, and other domestic animals, straying across the boundary line into any foreign country, or which have been driven across such boundary line by the owner for temporary pasturage purposes only, or which may so stray or be driven before November 1, 1935, and the offspring and increase of any such animals, whether or not accompanying the parent animals, shall be admitted free of duty under regulations to be prescribed by the Secretary of the Treasury, if brought into the United States at any time before June 30, 1936.

348. Duty-Free Entry for Manila (Abaca) and Other Hard Fiber Products from Philippines. Public No. 137 (S. 2530) Approved June 14, 1935.

House hearings held on H.R. 6653 (304 Un35)

Provides that, effective May 1, 1935, and for 3 years thereafter, the total amount of all yarns, twines, cords, cordage, rope, and cable, tarred or untarred, wholly or in chief value of Manila (abaca) or other hard fiber, produced or manufactured in the Philippine Islands, coming into the United States from the Philippine Islands, shall not exceed 6,000,000 pounds during each successive 12-month period, which 6,000,000 pounds shall enter the United States duty free. The amount or quantity of such articles which may be se exported to the United States shall be allocated, under export permits issued by the Government of the Philippine Islands, to the producers or manufacturers thereof.

Sec. 2. The President of the United States may, by proclamation, at least 90 days prior to the expiration of the 3 year period herein provided, extend the exemption period for 3 years or more additional, provided such extension is accepted by the President of the Commonwealth of the Philippines.

Sec. 3. After the expiration of the operation of this Act, the articles referred to herein coming into the United States shall be subject to the provisions of Sec. 6 of the Philippine Independence Act of March 24, 1934 (Public No. 127, 73d Congress).

349. Anti-Smuggling Act. Public No. 238 (H.R. 7980) Approved August 5, 1935.

House hearings held on H.R. 5496 (286 Un393A)

According to Senate Report 1036 on the bill it is designed to prevent loss of revenue of millions of dollars annually due to increased activity of smugglers since repeal of the 18th amendment. It provides for (1) establishment of customs-enforcement areas adjoining the 12-mile limit upon declaration of the President; (2) search, seizure and forfeiture of smuggling vessels; (3) enforcement of the revenue laws against foreign vessels within the limits authorized by existing treaties with foreign governments; (4) prohibition of smuggling offenses by our nationals and vessels against the revenue laws of foreign countries, so as to lay the basis for reciprocal legislation by other countries; (5) the general increase of fines and penalties; (6) effective administrative control over boats of less than 500 net tons; and (7) changes in rules of proof in forfeiture proceedings.

The Tariff Act of 1930 is amended by this Act.

Proclamations of the President No. 2131, No. 2132 (August 27, 1935), No. 2149, No. 2150 (December 7, 1935) and No. 2152 establish customs enforcement areas Nos. 1-5, under the Act.

350. Amending the Act Ratifying Action of Puerto Rican Legislature Imposing an Import Tax on Coffee. Public Resolution No. 51 (H.J.Res. 290) Approved August 20, 1935.

Amends the Act of June 18, 1934 (Public No. 411, 73d Congress) which ratified Joint Resolution No. 59 of the Legislature of Puerto Rico, approved May 5, 1930, so as to provide for the ratification of later Puerto Rican Acts, namely Act Numbered 77, approved May 5, 1931, as amended by Act Numbered 7, Approved April 9, 1934. These later acts raised the rate of duty on coffee from 10 to 15 cents a pound, and this Resolution establishes a uniform meaning for imports of coffee into Puerto Rico under all three acts. In addition it broadens the language to provide for the ratification and legalization of taxes and duties imposed by these Acts on coffee to include coffee "brought into Puerto Rico from any State or Territory or district or possession of the United States, or other place subject to the jurisdiction of the United States." The courts interpreted the phraseology of the Act of June 18, 1934 to include only technical imports directly from foreign countries, and this Resolution corrects this situation.

351. Organic Act of the Virgin Islands of the United States. Public No. 749 (S. 4524) Approved June 22, 1936.

Provides a civil government for the Virgin Islands of the United States. The Act shall take effect upon its enactment, but until its provisions shall severally become operative as herein provided, the corresponding legislative, executive, and judicial functions of the existing government shall continue to be exercised as now provided by law or ordinance.

"Until Congress shall otherwise provide, all laws concerning import duties and customs in the municipality of Saint Thomas and Saint John now in effect shall be in force and effect in and for

the Virgin Islands...The export duties in effect on the date of enactment of this Act may be from time to time reduced, repealed, or restored by ordinance of the municipal council having jurisdiction; Provided further, That no new export duties shall be levied in the Virgin Islands except by the Congress."

352. Proclamations of the President by Authority of Tariff Act of 1930.

Proclamation No. 2115, Jan. 16, 1935, decreases rate of duty on ale, porter, stout and beer (under Sec. 336)

Proclamation No. 2154, Jan. 11, 1935, extends warehousing period for imported merchandise (under Sections 318 and 557), previously extended by Proclamations No. 2109, 2110 and 2111, Dec. 21 and 22, 1934.

Proclamation No. 2156, Jan. 18, 1936 (under Sec. 318) extends the period for exportation of merchandise for drawback purposes, previously extended by Proclamations No. 2023, Dec. 23, 1932, No. 2069, Dec. 30, 1933, and No. 2121, April 1, 1935.

353. S. Res. 250 (Agreed to April 24, 1936): (Pope) [Directing the U. S. Tariff Commission to investigate the differences in the cost of production of foreign and domestic Persian lamb, krimmer, karakul, Russian pony, squirrel and mole pelts.]

354. S.Res. 265 (Agreed to April 27, 1936): Directs the U. S. Tariff Commission to report to the Senate within 60 days the names and addresses of manufacturing corporations in the United States having statutory net incomes in 1934 of $1,000,000 or more, producing commodities protected by the tariff, the rates of duty on principal commodities produced by each, and the 1934 selling prices derived from general sources of such commodities. Directs the Commission to supplement this report as soon as the information can be compiled, but with the time for compilation not limited to 60 days, similar information as to corporations, commodities, rates, and prices for the year 1935, together with the Commission's estimates of the following: (1) The effect of the tariff on selling prices of such commodities; (2) the effect of the tariff on the statutory net incomes of these corporations; (3) the effect of such rates of duty on consumer expenditures for such commodities as compared with revenue derived by the U. S. Treasury therefrom.

Also directs the U. S. Tariff Commission to furnish the Senate forthwith the names and addresses and the gross volume of sales of the three corporations or factories (naming them separately for each article or group list below) which did the largest gross business during the calendar year 1934 in the production and manufacturing of the following tariff-protected articles and commodities: (1) Aluminum; (2) steel and iron; (3) photo cameras and films; (4) chemicals and dyes; (5) electric appliances and equipment; (6) cellophane and rayon; (7) plate glass; (8) cast-iron pipe and fittings; (9) articles or wares manufactured of tin.

Also requests Commission to furnish tariff rates or schedules then in effect as to each such listed commodities or articles; the total amount in dollars of benefits or protection each of such corporations received during such year, assuming that the tariff was fully effective; and (if it would not delay the filing of such report) its estimate as to the percentage of effectiveness of such tariff rates for such year as to each of such articles or commodities.

355. S.Res. 283 (Agreed to April 17, 1936): (Walsh) [Directing the U. S. Tariff Commission to investigate the differences in the costs of production of domestic canvas rubber-soled and waterproof footwear and of any like or similar products of the Philippine Islands together with comparative wage rates.]
Respense printed in the Congressional Record. May 4, 1936.

Taxation

356. Relating to Filing of Copies of Income Returns. Public No. 510 (H.R. 11365) Approved April 10, 1936.
Amends Sec. 54 of the Revenue Act of 1934 relating to records and special returns required of taxpayers, by adding a new subsection (d) providing that in case of taxpayer's failure to file a copy of any income-tax return for any taxable year after December 31, 1934, there shall be a fine of $5 if an individual, $10 if a fiduciary, partnership, or corporation, assessed and collected without interest as for a mathematical errer. In case of returns for taxable years preceding December 31, 1935, taxpayer is allowed 15 days from mailing of request for such copies. Copies shall be kept for at least 2 years.

357. Income-Tax Returns. Public No. 40 (H.R. 6359) Approved April 19, 1935.
Repeals the "pink slip" provision of the Revenue Act of 1934, relating to publicity of income-tax returns.

358. Exempting from Taxation Official Compensation of Certain Foreign Representatives and to Provide for the Deductibility from Income of Certain Dividends on Preferred Stock Owned by the United States or Instrumentalities Thereof. Public No. 374 (H.R. 7998) Approved August 27, 1935.
Amends Sec. 116 and adds Sec. 120 to Title I, Revenue Act of 1934.

359. Revenue Act of 1935. Public No. 407 (H.R. 8974) Approved August 30, 1935.
House Hearings held on bill (284.5 Un391P)
Senate Hearings held on bill.
Title I. Amends the Revenue Act of 1934. Increases the surtaxes on individual incomes and imposes a new graduated income tax on corporations effective for the first taxable year after Dec. 31, 1935. The individual income surtaxes graduate from 31 percent on incomes between $50,000 and $56,000 to 75 percent on incomes over $5,000,000. The taxes on corporations, include insurance companies and range from 12 1/2 percent on net corporation incomes up to $2,000 to 15 percent on incomes in excess of $40,000.
Beginning with the fiscal year ending June 30, 1936, imposes an excise tax on capital stock of domestic corporations at rate of $1.40 per $1,000, and allows a new declaration of values with respect to the capital stock tax.
The first full taxable year after the year ending June 30, 1936, is the effective date for higher excess profits taxes on corporations. The tax is 6 percent on profits between 10 and 15 percent and 12 percent on that portion over 15 percent of the declared value of corporation stock.

Effective for the first tax year after Dec. 31, 1935, imposes a tax on the undivided net income of personal holding companies as follows: 20 percent on such income up to $2,000; 30 percent on the portion between $2,000 and $100,000; 40 percent between $100,000 and $500,000; 50 percent between $500,000 and $1,000,000 and 60 percent on all over $1,000,000.

Title II. Amends the Revenue Acts of 1932 and 1926, as amended. Increases estate taxes so as to make them range from 2 percent on that portion between $40,000 and $50,000, to 70 percent on that over $50,000,000. These taxes apply immediately to all persons who die leaving an estate of more than $40,000.

Title III. Amends the Revenue Act of 1932, as amended. Effective Jan. 1, 1936 the gift taxes are increased to 3/4 of the amount of the estate taxes.

Title IV. Miscellaneous Provisions. Among other things provides for a compensatory tax on products of certain oils subject to a processing tax under Sec. 602 1/2 of the Revenue Act of 1934, or an import tax under section 601 (c) (8) of the Revenue Act of 1932, as amended. All taxes collected under this section on account of coconut oil produced from materials wholly of Philippine growth or production, shall be paid to the Treasury of the Philippine Islands, provided the Philippine Government does not provide by law for any subsidy to be paid to producers of copra, coconut oil, or allied products. This becomes effective 30 days after the date of enactment of this Act.

The special excise tax on the liquor business imposed by Sec. 701 of the Revenue Act of 1926 shall not apply with respect to carrying on business after June 30, 1935.

Taxes on production and refining of crude petroleum are reduced from 1/10 of 1 cent per barrel to 1/25 of 1 cent per barrel, effective on the first calendar month following the date of enactment of this Act.

Revenue for the first full year of operation under this Act is estimated at $250,000,000.

360. Revenue Act of 1936. Public No. 740 (H.R. 12395) Approved June 22, 1936.

House hearings held on bill.

Senate hearings held on bill.

For Titles IV and VII See Agricultural Adjustment Act, and for Title V See Oils. Taxation.

Title I. Income Tax.

Applies only to taxable years beginning after Dec. 31, 1935. Income, war-profits, and excess-profits taxes for taxable years beginning prior to January 1, 1936 shall not be affected.

Levies a normal tax and a surtax upon the net income of every corporation. Normal-tax rates are: 8 percent on incomes not in excess of $2,000; 11 percent on incomes between $2,000 and $15,000; 13 percent on incomes between $15,000 and $40,000; and 15 percent on incomes over $40,000.

Surtax rates are: 7 percent of the portion of the undistributed net income which is not in excess of the adjusted net income; 12 percent of the portion between 10 and 20 percent; 17 percent of the portion between 20 and 40 percent; 22 percent of the portion between 40 and 60 percent; and 27 percent of the portion in excess of 60 percent.

Corporations exempted from the surtax on undistributed profits are banks (as defined in section 104) which shall pay a flat normal tax of 15 percent; domestic corporations which for any portion of the taxable year are in bankruptcy under laws of the United States, or are insolvent or in receivership; insurance companies subject to the tax imposed under Sections 201, 204, and 207 of the Act; foreign corporations; corporations which by reason of deriving a large portion of their gross income from sources within a possession in the United States are entitled to the benefits provided in Sec. 251; corporations organized under the China Trade Act; and joint-stock land banks.

Additional levies are made upon the net income of every corporation (other than a personal holding company as defined in Sec. 351) if formed for the purpose of preventing the imposition of the surtax upon its shareholders or the shareholders of any other corporation, through the medium of permitting earnings or profits to accumulate instead of being divided or distributed.

Individuals shall now pay both normal and surtaxes on dividends received from corporations.

Title IA

Provides for surtaxes upon the undistributed adjusted net income of personal holding companies.

Title II

Reduces capital stock tax rate from $1.40 to $1 per $1,000, and amends Sec. 106 (b) of the Revenue Act of 1935 relative to excess-profits tax.

Title III

Imposes a tax of 80 percent upon unjust enrichment resulting from the nonpayment of excise taxes to the Government, where the amount of such taxes has been passed on, in whole or in part, to others. Sec. 506 entitled "Closing Agreements" recites any person who is liable for the tax imposed by this title and who has filed any claim or claims for refund of any amount paid or collected as tax under the Agricultural Adjustment Act, as amended, may apply to the Commissioner of Internal Revenue for an adjustment of such liability. Title shall apply to taxable years ending during calendar year 1935 and thereafter.

Title VI. Miscellaneous Provisions

Provides exemption from admissions tax on certain concerts, terminates the tax on jewelry, changes the tax on furs, provides for a limitation on the importation of red cedar shingles from Canada by order of the President, etc.

Title VIII. General Provisions

Consists of definitions, separability clause, and effective date of Act which shall be date of enactment except as otherwise provided.

361. Excise Tax Act. Public Resolution No. 36 (H.J.Res. 324) Approved June 28, 1935.

Amends Sec. 1001 (a) of the Revenue Act of 1932, as amended, and Sec. 2, as amended, of the Act entitled "An Act to extend the gasoline tax for one year, to modify postage rates on mail matter, and for other purposes", approved June 16, 1933, so as to extend until June 30, 1937, or for two years, provisions of these Acts. This includes the extension of the 3-cent postage rate on nonlocal first-class mail.

Amends title IV, and parts I, II, III, and IV of title V, of the Revenue Act of 1932, as amended, by striking out "1935" wherever appearing and inserting in lieu thereof "1937." This defers until 1937 scheduled reductions in taxes on future sales of produce, stock transfers, issues of stocks and bonds, and admissions. It continues until 1937 import duties on crude petroleum, lubricating oil, brewer's wort, grape concentrate, coal and coke, lumber and copper. It continues until 1937 manufacturers' excise taxes on tires and tubes, toilet preparations, furs, jewelry, automobiles and accessories, radios and phonographs, mechanical refrigerators, sporting goods, firearms, cameras, matches, chewing gum, electrical energy, gasoline, telephone and telegraph messages, transfer of bonds, conveyances, oil by pipe line, etc.

362. To Amend Sec. 723 (a) of The Revenue Act of 1932, as Amended. Public No. 842 (H.R. 12324) Approved June 29, 1936.

Exempts from the tax on stock sales or transfers, deliveries by or to "registered nominees" of brokers, i.e. registered with the Collector of Internal Revenue.

363. H.Doc. 229. Message from the President of the United States, transmitting views on the broad question of tax methods and policies. June 19, 1935.

364. H.Doc. 418. Message from the President of the United States, transmitting additional information concerning the budget for the fiscal year 1937. March 3, 1936.

365. To Provide for Enforcing the Lien of the District of Columbia upon Real Estate, Etc. Public No. 462 (S. 3035) Approved March 2, 1936.

Provides for enforcement of liens of the District (where property, bid off by the District for nonpayment of taxes or assessments of any kind whatsoever, has not been redeemed after 2 years) by judicial sale in the Supreme Court of the District, upon petition of the Commissioners. Redemption is authorized by owner up to time of sale, but sale under decree of court (after proper notice to owners and all other persons claiming any interest) is conclusive against all persons, upon approval by court and payment of purchase price. Surplus over taxes, interest and costs incurred shall be held subject to claim of owners for 5 years.

366. Establishing an Assessed Valuation Real Property Tax in the Virgin Islands of the United States. Public No. 616 (H.R. 8287) Approved May 26, 1936.

Provides that beginning with calendar year 1936 real property taxes in Virgin Islands are to be computed on actual value of property -- the rate in each municipality to be the same on all real property whether or not it is in cultivation and regardless of use. The rate shall be 1 1/4 per cent until changed by local law, to be deposited in the colonial treasury of the municipality.

Authorizes annual payment into colonial treasuries by the Virgin Islands Co., in lieu of and equivalent to the taxes which a private corporation would be liable to pay, etc.

Tennessee Valley Authority

367. Amending the Tennessee Valley Authority Act. Public No. 412 (H.R. 8632) Approved August 31, 1935.

House Hearings held on H.R. 6793 (280.002 Un3 2 vol.)

House Hearings held on H.R. 4676, H.R. 6364, H.R. 6774, and H.R. 6876.

Amends the Tennessee Valley Authority Act as follows:

Provides that in condemnation proceedings the Corporation shall not be deprived of the rights conferred by the Act of Feb. 26, 1931 (46 Stat. 1422)

Empowers the Corporation to provide a 9-foot channel for navigation of the Tennessee River from its mouth to Knoxville, and directs the directors to report to Congress not later than April, 1936, their recommendations for the unified development of the Tennessee River system.

Provides for disposition, subject to the approval of the President of excess unimproved land, within a period of 5 years (Sec. 3)

Authorizes cooperation for promotion of prevention of soil erosion by the use of fertilizers and otherwise. Board is authorized to cooperate with farmers, landowners, and associations of farmers or landowners in addition to experimental stations or demonstration farms.

Directs the Board to regulate the stream flow primarily for purposes of navigation and floods, in the operation of any dam or reservoir, and so far as consistent with such purposes, authorizes it to provide and operate facilities for the generation of electric energy for the use of the Corporation or any Government agency. Also authorizes it to transmit and market such power thereby assisting in liquidation of cost and aid in maintenance of projects of the Authority.

Authorizes the Board in the sale of power to include in the contract such terms and conditions, including resale rate schedules, and to provide such rules and regulations as it deems necessary. Empowers the Board to acquire existing electric facilities used in serving farms and small villages. Permits terms 'States', 'counties', and 'municipalities' to be construed to include public agencies under Sec. 10.

Authorizes the Board to advise and cooperate with and assist, by extending credit for a period of 5 years to, States, counties, municipalities and nonprofit organizations in acquiring, improving, and operating existing distribution facilities, incidental works, and transmission lines. Authorizes a bond issue of $50,000,000 to provide funds for this purpose.

Requires the Board to submit on or before Jan. 1, 1937, and annually thereafter, a statement of allocation of the value of all properties turned over to such Board, and to set up such a system of accounting as may be prescribed by the Federal Power Commission for the purpose of accumulating data useful in formulating legislative policies. Declares it to be a policy, in order to make power projects self-supporting and self-liquidating, that power be sold at rates which will produce gross revenues in excess of the cost of production of said power; etc.

Provides that, commencing July 1, 1936, the proceeds for each year from the sale of power and other products, less operating expenses, shall be paid into the Treasury of the United States and permits withholding of a $1,000,000 fund for emergencies.

Prohibits construction, operation, or maintenance of dams, appurtenant works, or other obstructions, affecting navigation, flood control, or public lands or reservations unless approved by the Board. The Secretary of War may approve plans for construction on the Little Tennessee River if the Board fails to do so within 60 days.

Empowers the Authority to advise and cooperate in the readjustment of population displaced in effectuating the Act.

Provides for advertising and awarding of bids for purchases and contracts for supplies or services, waiving competitive bidding for small and emergency purchases. Restrains the Comptroller General from making his report on his periodic audit of T.V.A. accounts until the Corporation is given an opportunity to reply.

Executive Order No. 6918, Dec. 12, 1934, further amends Executive Order No. 3206, Dec. 30, 1919, creating the Board of Surveys and Maps, by adding the Tennessee Valley Authority to the list of organizations entitled to membership on said Board.

368. Second Deficiency Appropriation Act, fiscal year 1935 (Public No. 260) appropriates $36,000,000 to carry out the Tennessee Valley Authority Act of 1933 (Public No. 17, 73d Congress), and provides that all prior appropriations, allotments, etc., shall remain available until June 30, 1936, etc.

First Deficiency Appropriation Act, fiscal year 1936 (Public No. 739) appropriates $39,900,000 for the purposes of carrying out the Tennessee Valley Authority Act of 1933 (Public No. 17, 73d Congress) as amended by the Act of August 31, 1935 (Public No.412)

Opinion of the Supreme Court of the United States, on the constitutionality of Tennessee Valley Authority Act, 1933, printed as S. Doc. 176, February 17, 1936. This includes the dissenting opinion in the cases of George Ashwander, et al., petitioners, vs. Tennessee Valley Authority, et al. as well as the opinion of the majority upholding the Act.

369. Continuing Electric Home and Farm Authority. Public No. 484 (S. 3424) Approved March 31, 1936.

Continues the Electric Home and Farm Authority until February 1, 1937 (or earlier date fixed by the President). During such extension the corporation is authorized to use its assets, and moneys allocated to it or borrowed by it, in the exercise of its functions. Requires the corporation to file with the President and with Congress, in December of each year a financial statement and report of the business of the corporation, including an itemized statement of the cost of operation, total number of employees, and names, salaries and duties of those receiving more than $1,500.

Executive Order No. 7139, Aug. 12, 1935, designates the "Electric Home and Farm Authority, a corporation organized under the laws of the District of Columbia, as an agency of the United States, to continue, insofar as permitted by its certificate of incorporation, the functions of, and to carry on the business hitherto engaged in by, Electric Home and Farm Authority, Inc., a corporation organized under the laws of the State of Delaware." It rescinds the direction included in Executive Order No. 6514, Dec. 19, 1933 (creating the corporation) "that the outstanding stock of the Electric Home and Farm Authority, Inc... be voted by the Directors of the Tennessee Valley Authority" and directs that it be "voted jointly by the trustees of the Electric Home and Farm Authority, a corporation organized under the laws of the District of Columbia."

Tin

370. To Provide for the Protection and Preservation of Domestic Sources of Tin. Public No. 448 (S. 3381) Approved Feb. 15, 1936.

Declares the policy of Congress "to protect, preserve, and develop domestic sources of tin", etc. Prohibits exports of tin-plate scrap, except upon license granted by the President, after 60 days from enactment of Act. Violation is punishable by $500 fine and/or 1 year's imprisonment.

Executive Order No. 7297, Feb. 16, 1936, by authority of this Act, delegates to the Secretary of State as Chairman of the National Munitions Control Board the power to grant licenses for the exportation of tin-plate scrap upon such conditions and under such regulations as he may find necessary to assure in the public interest fair and equitable consideration to all producers of tin, and as he may prescribe by and with the advice and consent of the Board.

Tobacco

371. Tobacco Compacts Between States. Public No. 534 (H.R. 12037) Approved April 25, 1936.

House hearings held on bill (281.369 Un3T)

Congress gives its consent for States to negotiate a compact or compacts for the purpose of regulating and controlling the production of, or commerce in, tobacco, the State acts authorizing such compacts to be essentially uniform. State compacts referred to in Tobacco Control Act of Virginia, approved March 13, 1936, and all compacts by other States in conformity therewith shall be effective without further consent or ratification on part of Congress. Kinds of tobacco specified are flue-cured, Burley, fire-cured and dark air-cured, and cigar-filler, binder, and wrapper tobaccos. Congress reserves right to withdraw consent for compacts. Congress does not grant consent to negotiate compacts for purpose of fixing price of tobacco, but to enable growers to receive a fair price.

The Secretary of Agriculture shall, upon request, designate departmental officers and tobacco producers to confer with State commissions respecting administration of the compacts, and is authorized, upon request, to make available to State commissions

or to any association operating with respect to the 1936 crop in the Georgia Tobacco Belt such records, information, and facilities of the Department of Agriculture as he deems appropriate. He is authorized to make loans for administrative expenses to commissions in compacting States and for administrative purposes during 1936 to any association operating during 1936 with respect to the crop in the Georgia Tobacco Belt. An appropriation of $300,000 is authorized, and any repaid loans shall revert to the general fund of the Treasury of the United States. Makes funds available for allotment to bureaus and offices of the Department of Agriculture and for transfer to other agencies of the Federal or State Governments cooperating or assisting.

Should compacts be made by 3 or more of the States of Pennsylvania, Ohio, Wisconsin, and Connecticut (or associations be formed representing 2/3 of producers of cigar-filler and cigar-binder tobaccos in any 3 of said States), commerce in cigar-filler tobacco produced in Puerto Rico shall be regulated by the Secretary of Agriculture in the following manner:

He shall determine for each crop year (such period of 12 months as he shall specify) the quantity produced which is likely to be consumed in all countries of the world during such crop year, increased or decreased by the amount by which the world stocks (produced in United States and Puerto Rico) at beginning of such crop year are less than or greater than normal stocks as determined by the Secretary. He shall then determine a marketing quota for Puerto Rico for each crop year which shall bear the same ratio to this estimated world consumption as the average production in Puerto Rico in such crop years bore to the average total production in the United States and Puerto Rico, subject to such an adjustment as the Secretary determines to be necessary to correct for any abnormal conditions of production, etc.

He shall establish a marketing quota for each farm in Puerto Rico (giving consideration to quantity marketed in past years, land, labor and equipment, crop-rotation practices, soil and other physical factors affecting production on such farm), both these quotas and the total marketing quota for Puerto Rico, being subject to adjustment during crop year, not exceeding 10 percent, as determined by the Secretary. Marketing certificates to the extent of these quotas shall be issued to buyers or handlers from any farm, and for tobacco marketed in excess of such quota certificates shall be sold to them at 1/3 of current price, and Secretary may require that charge for marketing certificates be deducted from the price or proceeds of or advances on such excess tobacco. Proceeds from sale of certificates shall be distributed among producers whose crop yield for the year is below quota because of weather, disease, or fire losses. Sale, marketing, purchase, or transportatien prohibited unless marketing certificate has been issued.

The Secretary shall prescribe necessary rules and regulations to carry out provisions of Act.

372. Tobacco Compacts and Agreements among States.

The First Deficiency Appropriation Act, fiscal year 1936 (Public No. 739), approved June 22, 1936, makes available until June 30, 1938, $300,000 of the funds appropriated by Sec. 12 (a) of the

Agricultural Adjustment Act (Public No. 10, 73d Congress) as amended, to carry into effect the provisions of the Tobacco Compacts And Agreements Act (Public No. 534) approved April 25, 1936. (p. 24) (See H.Doc. 477 for message transmitting provision to Congress)

373. The Tobacco Inspection Act. Public No. 314 (H.R. 8026) Approved August 23, 1935.

Seeks to establish and promote the use of standards of classification for tobacco and provide and maintain an official tobacco inspection service. A description of Sections 3 to 9 follows:

Authorizes, the Secretary of Agriculture to investigate the sorting, handling, conditioning, inspection, and marketing of tobacco from time to time, and issue tentative standards for tobacco prior to the establishment of those to be designated as official standards of the United States; to demonstrate the standards by distributing samples and illustrations, and to make reasonable charges therefor; and to designate markets for tobacco grading service when, after a referendum, two-thirds of the interested tobacco growers favor such action. Provides that (a) the records of the Collector of Internal Revenue shall be available to the Secretary to determine the eligibility of a grower to vote in such referendum, (b) after not less than thirty days' notice, no tobacco shall be offered for sale at auction on a designated market until inspected by an authorized representative of the Secretary, (c) for suspending the requirements of inspection in certain emergencies, (d) that no fees shall be made for inspection at any designated market, and (e) that the Secretary shall not have the right to prevent transactions in tobacco on markets not designated or to close any market.

Provides for the sampling, inspection, and weighing of tobacco, upon request of the owner or other financially interested person, in cooperation with State or other agencies, thereby giving the necessary authority to meet the demand for these services in storage warehouses and other places where tobacco is not sold at auction.

Provides for appeal inspections and, further, that inspection certificates issued under the act shall be prima facie evidence of the truth of the statements therein contained.

Requires auction warehousemen to provide a space on the labels for statement of grade of the lot covered thereby in a form prescribed by the Secretary.

Authorizes the Secretary to collect, publish, and distribute, by telegraph, mail, or otherwise, without cost to the grower, timely information on the market supply and demand, location, disposition, quality, condition, and market prices of tobacco.

The Supplemental Appropriation Act, fiscal year 1936 (Public No. 440) provides that $12,500 of the appropriation for "Salaries and expenses, Bureau of Agricultural Economics", fiscal year 1936, may be used during that fiscal year for carrying the Tobacco Inspection Act into effect.

374. Amending Tobacco Stocks & Standards Act. Public No. 356 (S. 2215) Approved August 27, 1935.

The act is aimed primarily at the improvement and simplification of reports which dealers and manufacturers are required to make quarterly, setting forth in detail the stocks of leaf tobacco owned or held by them. Sec. I of the Act of January 14, 1929, as amended, is amended, so as to make possible, in the discretion of the Secretary of Agriculture that statistics of quantity of leaf tobacco which he is authorized and directed to collect and publish, shall, in addition to detail as to types, and groups of grade, show "other subdivisions as to quality, color, and/or grade for particular types." It omits the following language of the original act: "and said statistics shall show the stocks of tobacco of the last four crop years, including therein the production of the year of the report, which shall be known as new crops, separately from the stocks of previous years, which shall be known as old crops."

It provides for collection of statistics of leaf tobacco in Puerto Rico and that an annual report on tobacco statistics shall be issued.

A further proviso is added to Sec. I of the act to the effect that the Secretary shall omit the collection of statistics from any dealer, manufacturer, cooperative association, warehouseman, etc., who does not own or have in stock in the aggregate 50,000 pounds or more of leaf tobacco on the date as of which the reports are made, and in the same paragraph, authority is given to the Secretary to classify as nondescript "any tobacco which has deteriorated on account of age or other causes to the extent that it is no longer merchantable or suitable for use in manufacturing tobacco products."

Sec. 2 of the Act of January 14, 1929, is amended, insofar as necessary, to make the language conform to the changes made in Sec. 1 and authorizes the Secretary to demonstrate tobacco standards, prepare and distribute samples, and make a charge therefor.

Trade Marks

375. Registration of Trade Marks. Public No. 711 (S. 1794) Approved June 20, 1936.

Amends Sec. 4 of the Trade Mark Act of 1905 by allowing 6 instead of 4 months within which to make application for trade mark registration in United States, in cases where application was first filed in a foreign country. Provides for registration of collective marks owned by lawful associations located in foreign countries, even though such association does not possess an industrial or commercial establishment. Trade mark must actually be registered in foreign country in which applicant is located before certificate of registration is issued.

The period of 6 months established by this Act is in conformity to article 4 of the International Convention for the Protection of Industrial Property, signed at the Hague in 1925 and proclaimed by the President March 6, 1931.

Transportation, Motor

376. Motor Carrier Act, 1935. (Wheeler-Huddleston) Public No. 255 (S. 1629) Approved August 9, 1935.

Senate Hearings held on bill (286 Un39Am 2pts)

House Hearings held on H.R. 5262 and H.R. 6016 (289.3 Un3R)

Amends the Interstate Commerce Act, as amended, and makes this Act "Part I" of the Interstate Commerce Act.

Sec. 202 (a) declares it to be the policy of Congress "to regulate transportation by motor carriers in such manner as to recognize and preserve the inherent advantages of, and foster sound economic conditions in, such transportation and among such carriers in the public interest; promote adequate, economical, and efficient service by motor carriers, and reasonable charges therefor, without unjust discriminations, undue preferences or advantages, and unfair or destructive competitive practices; improve the relations between, and coordinate transportation by and regulation of, motor carriers and other carriers; develop and preserve a highway transportation system properly adapted to the needs of the commerce of the United States and of the national defense; and cooperate with the several States and the duly authorized officials thereof and with any organization of motor carriers in the administration and enforcement of this part."

Does not affect the powers of taxation of the several States or "authorize a motor carrier to do an intrastate business on the highways of any State, or to interfere with the exclusive exercise by each State of the power of regulation of intrastate commerce by motor carriers on the highways thereof." (Sec. 202 (c))

Vehicles used for the following purposes are exempt under the Act except as to safety and labor provisions: (1) schools; (2) taxicabs; (3) hotels in transportation of patrons; (4) national parks; (4a) transportation of agricultural commodities, or products thereof, or farm supplies, by any farmer; (4b) controlled and operated by a cooperative association; (5) trolley busses similar to street railway service; (6) exclusively in carrying livestock, fish, or agricultural commodities (not including manufactured products thereof); (7) exclusively in distribution of newspapers; (8) transportation wholly within a municipality or contiguous area; and (9) casual, occasional, or reciprocal transportation. (Sec.203b)

The Interstate Commerce Commission may establish reasonable requirements with respect to continuous and adequate service, and transportation of baggage and express in regulation of common carriers and uniform systems of accounts, records, and reports, preservation of records, qualifications and maximum hours of service of employees, and safety of operation and equipment in the regulation of common and contract carriers. It shall establish for private carriers of property "if need therefor is found, reasonable requirements to promote safety of operation, and to that end prescribe qualifications and maximum hours of service of employees, and standards of equipment." It shall regulate brokers, may avail itself of the assistance of any of the research agencies of the Federal Government having special knowledge pertaining to safety, shall prescribe necessary rules, regulations and procedure, and keep informed as to the manner and method in which the business of motor carriers and brokers is conducted. (Sec. 204a)

When any operation to be authorized or regulated involves not more than three States, the Interstate Commerce Commission shall, and when more than three States are involved, it may, refer the matter to a joint board composed solely of one member from each State within which the operations involved are proposed to be conducted. The Commission may designate an examiner or examiners to advise with and assist the joint board under such rules and regulations as it may prescribe. Joint boards "shall be vested with the same rights, duties, powers, and jurisdiction as are hereinbefore vested in members or examiners of the Commission while acting under its orders." Orders recommended by such joint boards automatically become effective as orders of the Commission unless reviewed by it on complaint or on its own motion. (Sec. 205b)

Requires common carriers to secure certificates of public convenience and necessity (Sec. 206a) and contract carriers to secure permits to operate (Sec. 209a) but these are to be given as of right to common carriers in bona fide operation on June 1, 1935, and to contract carriers in operation on July 1, 1935.

A broker's license must be procured from the Commission by one who sells, provides, or procures contracts for transportation, such license to be granted if applicant is fit, willing, and able properly to perform the service proposed in the application and has filed proof of financial responsibility by bond or other security for the protection of shippers or travelers. (Sec. 211)

Certificates, permits, and licenses "may, upon application of the holder thereof, in the discretion of the Commission, be amended or revoked, or on the Commission's own initiative, after notice and hearing, be suspended, changed, or revoked, in whole or in part, for willful failure to comply with any provision of this part, or with any lawful order, rule, or regulation of the Commission promulgated thereunder, or with any term, condition, or limitation of such" certificates, permits, or licenses. (Sec. 212a)

Provision is made for the control by the Commission of consolidations, mergers, and acquisition of control of motor carriers. (Sec. 213)

Approval of securities of carriers, both common and contract, and corporations, where same is offered to the public, must be procured from the Commission as provided in the Interstate Commerce Act. This provision does not apply, however, where the par value of the securities to be issued together with the par value of the securities then outstanding, does not exceed $500,000. (Sec. 214)

The issuance of certificates and permits is made dependent upon the filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer, or other securities or agreements as the Commission may require for the protection of the public interest. (Sec. 215)

Common carriers are required to establish just and reasonable rates and contract carriers are required to file with the Commission, publish, and keep open for public inspection, schedules or, copies of contracts containing minimum charges. The Commission may fix maximum, minimum, or going rates of common carriers and minimum charges of contract carriers. Common carriers must give 30 days' notice before making any change in rates, fares, charges, or classifications, or any rules, regulations, or practices affecting such, and contract carriers must give 30 days' notice before

making any reduction in charges. The Commission is to have no power "to prescribe, or in any manner regulate, the rate, fare, or charge for intrastate transportation, or for any service connected therewith," Common carriers of property are required to establish "the manner and method of presenting, marking, packing, and delivering property for transportation, the facilities for transportation, and all other matters relating to or connected with the transportation of property." The Commission is authorized and empowered, upon reasonable notice, to enter upon a hearing concerning the lawfulness of rates, fares, or charges, or rules, regulations, or practices, and to suspend such for a period of 90 to 180 days, pending such hearing. (Sec. 216-218)

Provisions of the Interstate Commerce Act with respect to receipts or bills of lading are made to apply to motor vehicles (Sec. 219)

The Commission is authorized to require annual, periodical, or special reports from all motor carriers, to prescribe the manner and form in which such shall be made, prescribe the forms of any and all accounts, records, and memoranda to be kept by motor carriers, etc. (Sec. 220)

The effective date of the Act is October 1, 1935, except that it is left to the discretion of the Commission to postpone the effective date of any of its provisions to a time not later than April 1, 1936 (Sec. 227a)

$1,035,000 is appropriated to the Interstate Commerce Commission to carry out the provisions of the Motor Carrier Act by the Supplemental Appropriation Act, fiscal year 1936 (Public No. 440)

Unemployment Relief

377. Emergency Relief Appropriation Act of 1935. Public Resolution No. 11 (H.J. Res. 117) Approved April 8, 1935.

House Hearings held on resolution (283 Un38E)

Senate Hearings held on resolution (283 Un3[illegible]E 2 vol. & suppl.)

Appropriates $4,800,000,000, together with the separate funds from sugar processing taxes established for particular areas by proclamation of the President pursuant to Sec. 15 (f) of the Agricultural Adjustment Act (to be available for use only for the areas for which fund was established), to be used "in the discretion and under the direction of the President" to "provide relief, work relief, and to increase employment by providing for useful projects." Of this $4,000,000,000 is a new sum, $500,000,000 is from unexpended balances of the Reconstruction Finance Corporation, and $380,000,000 from unexpended balances of following prior appropriations: $3,300,000,000 for national industrial recovery (4th Deficiency Act, fiscal year 1933, Public No. 77, 73d Congress); $950,000,000 for emergency relief and civil works projects (Civil Works Emergency Relief Act, Public No. 93, 73d Congress); $899,675,000 for emergency relief and public works, and $525,000,000 for relief of stricken agricultural areas (Emergency Appropriation Act, fiscal year 1935, Public No. 412, 73d Congress); and remainder of unobligated funds provided for emergency conservation work (Reforestation Act, Public No. 5, 73d Congress).

President may use such part of the appropriation as he deems necessary for relief under the Federal Emergency Relief Act of 1933 (Public No. 15, 73d Congress), as amended, and for restoring to the Public Works Administration funds impounded or transferred to the Federal Emergency Relief Administration. The remainder shall be available for following classes of projects, with authority to transfer not to exceed 20 percent of the total amount to increase any one or more of the limitations if deemed necessary:

(a) $800,000,000 for highways, roads, streets, and grade-crossing elimination.
(b) $500,000,000 for rural rehabilitation and relief in stricken agricultural areas, and water conservation, trans-mountain water diversion and irrigation and reclamation.
(c) $100,000,000 for rural electrification.
(d) $450,000,000 for housing.
(e) $300,000,000 for assisting educational, professional, and clerical persons.
(f) $600,000,000 for the Civilian Conservation Corps.
(g) $900,000,000 for loans or grants for non-Federal projects (States, Territories, possessions, and District of Columbia); with not less than 25 percent of this fund to be expended for labor, the President to determine the factors that comprise labor costs.
(h) $350,000,000 for sanitation, prevention of soil erosion, prevention of stream pollution, sea coast erosion, reforestation, forestation, flood control, rivers and harbors, and miscellaneous projects.

Rivers and harbors projects, reclamation projects (except the drilling of wells, development of springs and subsurface waters), and public buildings projects shall be carried out under the direction of the respective permanent Government departments or agencies now having jurisdiction of similar projects.

Authorizes the use of funds to make loans to finance the purchase of farm lands and equipment by farmers, tenants, sharecroppers, and farm laborers, terms of loans to be prescribed by the President.

Authorizes the President, in his discretion, to use funds herein made available for administering the Agricultural Adjustment Act, as amended, for one year after effective date of this resolution.

Appropriations shall be available for use only in the United States and its Territories and possessions.

Administrators or other officers, etc. and State or regional administrators receiving $5,000 or more shall be appointed by the President with Senate consent.

Authorizes the President to establish and prescribe duties and functions of necessary agencies within the Government; to acquire by purchase or by power of eminent domain any real property or any interest therein, and improve, develop, grant, sell, lease, or otherwise dispose of such property or interest; to prescribe necessary rules and regulations, with penalty of $1,000 for violation; and to fix rates of wages for various types of work on any project, but payment of prevailing wages on permanent Federal building construction is required. Provides penalty for fraud in obtaining contracts or relief.

Continues the Federal Emergency Relief Act of 1933 (Public No. 15, 73d Congress) as amended, in effect until June 30, 1936; the Public Works Administration (established by Title II, Public No. 67, 73d Congress) until June 30, 1937; and the Reforestation Act (Public No. 5, 73d Congress), as amended, until March 31, 1937.

Prohibits use of any funds for administrative expenses of any department, bureau, or agency of the Government if such are ordinarily financed from annual appropriations, unless additional work is imposed thereupon by reason of this resolution.

Makes applicable to purchases and contracts to purchase, in connection with any project hereunder, the provisions of Title III of the Treasury and Post Office Department Appropriation Act, fiscal year 1934, with respect to products of American origin.

Section 1 of the Emergency Relief Act of 1935 is amended by the Supplemental Appropriation, fiscal year 1936 (Public No. 440) by inserting at the end of the first proviso of the second paragraph the following: "Provided further, That the apportionment requirements of this paragraph shall not apply to loans or grants, or both, under limitation (g) of the first paragraph of this section, for public highways and related projects, including grade crossings."

Executive Order No. 7186, Sept. 21, 1935, orders increased from $900,000,000 to $1,700,000,000, the limitation on the amount which may be expended under clause (g) of Sec. 1 of the Emergency Relief Appropriation Act of 1935, for loans or grants, or both, for projects of States, Territories, Possessions, including subdivisions and agencies thereof, municipalities, and the District of Columbia and self-liquidating projects of public bodies thereof.

378. Emergency Relief Appropriation Act of 1935.

S.Doc. 242. Opinion of the United States Court of Appeals for the District of Columbia, in the case of the Township of Franklin, in the County of Somerset, Matthew Suydam, Cornelius I. Van Vleef et al., appellants, v. Rexford G. Tugwell, Administrator, Resettlement Administration, et al., appellees, involving the constitutionality of the Emergency Relief Appropriation Act of 1935.

379. Division of Applications and Information, The Advisory Committee on Allotments, The Works Progress Administration.

Established by Executive Order No. 7034, May 6, 1935, under authority of the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11)

The Division of Applications and Information (D.I.A.) shall be under the general supervision of the Executive Director of the National Emergency Council, and shall receive all applications for projects, cause the applications to be examined and reviewed, obtaining when necessary aid and assistance of governmental departments or agencies, and transmit such applications to the Advisory Committee on Allotments, hereinafter established. It shall furnish information to the public on allotments made and on the progress of all projects as they are initiated and carried forward.

The Advisory Committee on Allotments shall be composed of the Secretary of the Interior, Chairman, the Secretaries of Agriculture and Labor, Executive Director of National Emergency Council, Administrator of Works Progress Administration, Directors of Procurement, Bureau of the Budget, Soil Erosion, Emergency Conservation Work and the Housing Division, Chief of Engineers, U.S. Army, Commissioner of Reclamation, Chiefs of Forest Service and Bureau of Public Roads, Administrators of Resettlement Administration and Rural Electrification Administration, Federal Emergency Relief Administrator, Vice Chairman of the National Resources Board, and a representative of: (a) the Business Advisory Council; (b) organized labor; (c) farm organizations; (d) the American Bankers' Association, and (e) the United States Conference of Mayors. It shall "make recommendations to the President with respect to the allotments of funds for such projects covered by the applications submitted by the Division of Applications and Information as will constitute a coordinated and balanced program of work under said Act."

Executive Order No. 7068, June 8, 1935, appoints Robert E. Wood, Edward O'Neal, George L. Berry, as members of the Advisory Committee on Allotments. Executive Order No. 7056, May 28, 1935, includes the Deputy Administrator of the Federal Emergency Administration of Public Works in the membership of the Committee.

Works Progress Administration, Harry L. Hopkins, Administrator. It shall "be responsible to the President for the honest, efficient, speedy, and coordinated execution of the work relief program as a whole, and for the execution of that program in such manner as to move from the relief rolls to work on such projects or in private employment the maximum number of persons in the shortest time possible."

It shall have power:

"1. To establish and operate a division of progress investigation, and to coordinate the pertinent work of existing investigative agencies of the Government."

"2. To formulate, and with the approval of the President, to require uniform periodic reports of progress on all projects,"etc.

"3. With the approval of the President to prescribe rules and regulations: a. To assure that as many of the persons employed on all works projects as is feasible shall be persons receiving relief; and b. to govern the selection of such persons for such employment.

"4. To formulate and administer a system of uniform periodic reports of the employment on such projects of persons receiving relief.

"5. To investigate wages and working conditions and to make and submit to the President such findings as will aid the President in prescribing working conditions and rates of pay to projects."

In addition the Works Progress Administration shall:

"1. Provide for the coordination of such data compiling projects as form a part of the work-relief program and of such portions of other research activities as may be necessary or useful in carrying out such a program.

"2. Coordinate all requests for opinions and decisions addressed to the Executive departments or independent establish-

ments of the Government on questions affecting the administration of the Act or of orders issued thereunder.

"3. Recommend and carry on small useful projects designed to assure a maximum of employment in all localities."

The Executive Order creating these 3 agencies also provides that "All permanent and emergency agencies of the Government will afford full cooperation to the agencies herein established or designated and make available such personnel and facilities as may aid in carrying out the provisions of the said Act", etc.

Executive Order No. 7151, Aug. 21, 1935 allocates $3,000,000 to the Secretary of the Treasury from the appropriation made by the Emergency Relief Appropriation Act of 1935, to be set aside in a special fund to be known as the "Work Relief Supply Fund", for use in the purchase and distribution of materials, supplies, and equipment through the Procurement Division, pursuant to Sec. II (A) (2) of Executive Order No. 7034.

380. Rules and Regulations Relative to Wages, Hours of Labor and Condition of Employment, Etc.

The following Executive Orders have been issued under authority of the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11):

No. 7046, May 20, 1935. Regulation No. 1.

This is amended by Executive Order No. 7117, July 29, 1935 (amendment to Part 1); Executive Order No. 7119, July 30, 1935 (amendment of Subdivision (E) of Part 1); Executive Orders Nos. 7203 and 7204, Oct. 1, 1935; Executive Order No. 7226, Nov. 15, 1935; and Executive Order No. 7296, Feb. 15, 1936.

No. 7060, June 5, 1935. Regulation No. 2.

This is amended by Executive Order No. 7125, Aug. 5, 1935 (amendment to Sec. 5)

No. 7083, June 24, 1935. Regulation No. 3.

No. 7130, Aug. 7, 1935. Regulation No. 4.

Relates to approved projects administered by the Rural Electrification Administration, and includes those financed in whole or in part from funds appropriated by the Emergency Relief Appropriation Act of 1935. Sec. 7. provides that any provisions of Executive Orders and Rules and Regulations heretofore issued under the Emergency Relief Appropriation Act of 1935 that are inconsistent with the several provisions of this Executive Order are modified and specifically prescribes that the following shall be inapplicable to such projects: Part I, Part II, and paragraph (c) of Part III of Regulation No. 1; Section 5 of Regulation No. 2; and Sections 2 to 6, 8 and portions of 9 of Regulation No. 3.

No. 7143, Aug. 19, 1935. Regulation No. 5.

This relates to making of loans by the Resettlement Administration.

No. 7157, Aug. 23, 1935. Regulation No. 6.

No. 7164, Aug. 29, 1935. Regulation No. 7.

Relates to student-aid projects and to employment of youth on other projects. Sections 1 and 3 are amended by Executive Order No. 7319, Mar. 18, 1936. Sec. 1 defines student-aid projects, and Sec. 3 provides the maximum amount of aid which shall be paid for the school year as follows: $6 per month to primary-school and high-school students; $20 per month to college students (average not

to exceed $15); and $40 per month to graduate students (average not to exceed $30).

No. 7180, Sept. 6, 1935. Regulation No. 8.

Relates to loans by the Puerto Rico Reconstruction Administration.

381. Emergency Relief Appropriation Act of 1936. Title II, First Deficiency Appropriation Act, fiscal years 1936 and 1937. Public No. 739 (H.R. 12624) Approved June 22, 1936.

Appropriates $1,425,000,000 and reappropriates and makes available until June 30, 1937 such unexpended balances of funds appropriated by the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11) as the President may determine, to be used in the discretion and under the direction of the President, to continue to provide relief, and work relief on useful projects, in the United States and its Territories and possessions (including projects heretofore approved for the Works Progress Administration which projects shall not be subject to the limitations hereinafter specified). Specifies that the following amounts shall be available for the following classes of public projects, Federal and non-Federal: $413,250,000 for highways, roads and streets; $156,750,000 for public buildings, and the same amount for parks and other recreational facilities, including buildings therein; $171,000,000 for public utilities, including sewer systems, water supply and purification, airports, and other transportation facilities; $128,250,000 for flood control and other conservation; $85,500,000 for assistance for educational, professional, and clerical persons, the same amount for women's projects, and also the same amount for rural rehabilitation, loans and relief to farmers and livestock growers; and $71,250,000 for miscellaneous work projects and the same amount for the National Youth Administration. These specified amounts for any of the foregoing classes may be increased proportionately in accordance with the amount of such unexpended balances of funds as the President may transfer from the funds appropriated by the Emergency Relief Appropriation Act of 1935 and may be increased by not to exceed 15 percent thereof by "transfer of an amount or amounts from any other class or classes."

Prohibits employment of aliens illegally within the limits of the continental United States by departments, agencies, or establishments having supervision of projects. An amount sufficient for completion must have been allocated and irrevocably set aside for its completion before any Federal projects may be undertaken or prosecuted. Provides that appointments to Federal positions of an administrative or advisory capacity in any State shall be made among bona-fide residents of that State so far as not inconsistent with efficient administration. Rates of pay shall not be less than prevailing rates as determined by the W.P.A. with approval of the President. Authorizes President to prescribe necessary rules and regulations, provided that applicants in actual need whose names have not appeared on relief rolls before be given same eligibility as applicants whose names have appeared on relief rolls before.

President is authorized to utilize agencies within the Government and to empower such agencies to prescribe rules and regulations to carry out the functions delegated to such agencies by him.

The Federal Administrator of Public Works may, upon the direction of the President, use not to exceed $300,000,000 from funds on hand or to be received from the sale of securities, for the making of grants, to aid in financing projects similar to those for which he has heretofore made loans or grants pursuant to Title II of the National Industrial Recovery Act or the Emergency Relief Appropriation Act of 1935. It must be determined by the Administrator that completion of any project can be substantially accomplished prior to July 1, 1938, and that adequate provision has been made or is assured for financing such part of the entire cost thereof as is not to be supplied through the Federal Emergency Administration of Public Works, but this limitation upon time shall not apply to any project enjoined in any Federal or State court, and in no case shall the amount of the grant exceed 45 percent of the cost of the project.

Provides penalties for fraud, prohibits employment of candidates for State, District, County, or Municipal offices, makes provision for disability or death compensation and benefits, provides for presidential appointment for positions with salaries of $5,000 or more, etc.

Provides that President shall allot necessary amounts for administrative expenses of any department, establishment, or agency of the United States for additional work incident to carrying out of the purposes of the Act, such allotments to remain available until June 30, 1938.

Authorizes and directs the Federal Emergency Relief Administrator to liquidate and wind up the affairs of the Federal Emergency Relief Administration under the Act of May 12, 1933 (Public No. 15, 73d Congress), as amended, and funds available to it shall be available for expenditures for such purpose until June 30, 1937.

Requires President to report to Congress before January 10th in each of the next two regular sessions of Congress, such reports to include statements of expenditures and obligations, by classes and amounts.

Executive Order No. 7396, June 23, 1936 (by authority of the Emergency Relief Appropriation Act of 1936) orders and directs that the "expenditure of funds, appropriated by said Act, and the administration thereof, shall be in accordance with the orders, rules, and regulations heretofore issued by the President relating to the expenditure of funds appropriated by the Emergency Relief Appropriation Act of 1935 and to the administration of that Act, in so far as applicable and except as to rates of pay and eligibility for employment."

Authorizes the Works Progress Administration to continue to provide relief, and work relief on useful projects, under the said Emergency Relief Appropriation Act of 1936 in accordance with allocations of funds made to it by the President from time to time, and empowers and authorizes such agency to prescribe such rules and regulations not inconsistent with purposes of such allocations and the provisions of said Act.

382. H.Doc. 427. Message from the President of the United States on Funds for Unemployment Relief. March 18, 1936.

383. S.Doc. 226. Activities of the Works Progress Administration. Summary of testimony of Works Progress Administrator, Harry L. Hopkins before the subcommittee of the House Committee on Appropriations in charge of deficiency appropriations, Wednesday, April 8, 1936. May 18, 1936.

Civil Works

384. Civil Works Administration.

Function of employment expired July 1, 1934, Function of settling claims continues.

Independent Offices Appropriation Act, fiscal year 1936 (Public No. 2) makes available $2,081,000 of the $950,000,000 appropriation provided in the Civil Works-Emergency Relief Act (Public No. 93, 73d Congress) approved Feb. 15, 1934, for administrative expenses and payment of compensation in connection with the administration of the benefits of employees of the Civil Works Administration, and the Independent Offices Appropriation Act, fiscal year 1937 (Public No. 479) appropriates $805,500 for the Employees' Compensation Fund, Civil Works.

District of Columbia

385. Additional Appropriation for the Fiscal Year 1936 for Emergency Relief of Residents of the District of Columbia. Public Resolution No. 79 (H.J.Res. 543) Approved March 30, 1936.

Appropriates $350,000 for unemployment and direct relief in the District of Columbia.

Emergency Conservation Work

386. Disposal of Surplus Personal Property of Emergency Conservation Work. Public No. 82 (S. 82) Approved May 29, 1935.

Authorizes and directs the Director of Procurement, Treasury Department, to transfer to Federal agencies, permanent or temporary, personal property no longer required by Emergency Conservation Work, including equipment, tools, materials, and buildings, when declared surplus by the Director of the Emergency Conservation Work; or, upon recommendation of the Department having charge of the technical work of the conservation camp, any such surplus property not desired by any Federal agency may be transferred to forestry, park, conservation, or educational departments of the States or to counties, municipalities, or organizations engaged in the promotion of education, recreation, or health.

387. Emergency Conservation Work Appropriations.

Second Deficiency Appropriation Act, fiscal year 1935 (Public No. 260, approved Aug. 12, 1935) provides that the term "Civilian Conservation Corps" as used in Sec. 1 of the Emergency Relief Appropriation Act for 1935 (Public Resolution No. 11), approved April 8, 1935, shall be construed as embracing emergency conservation work of the character carried on prior to April 1, 1935, under

authority of the Act of March 31, 1933 (Public No. 5, 73d Congress), as amended. (p. 29)

First Deficiency Appropriation Act, fiscal year 1936 (Public No. 739) makes the following appropriations:

Appropriates $308,000,000, to remain available until March 31, 1937 ($10,000,000 to be immediately available) for Emergency Conservation Work under the Unemployment Relief Act, approved March 31, 1933 (Public No. 5, 73d Congress)

Makes $6,000,000,000 available for expenditure during 1937, employees' compensation fund in connection with the administration of the benefits authorized by Sec. 2 of the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11)

Independent Offices Appropriation Act, fiscal year 1936 (Public No. 2) makes available $1,056,000 of the appropriation of $899,675,000 provided by the Emergency Appropriation Act, fiscal year 1935 (Public No. 412, 73d Congress) for administrative expenses and payment of compensation in connection with the administration of benefits for employees of the Civilian Conservation Corps, and the Independent Offices Appropriation Act, fiscal year 1937 (Public No. 479) appropriates $665,500 for the same fund.

388. Executive Orders Relative to Emergency Conservation Work.

Executive Order No. 6898, Nov. 8, 1934 (by authority of the Reforestation Act (Public No. 5, 73d Congress) and the Emergency Appropriation Act, fiscal year 1935 (Public No. 412, 73d Congress)) gives the Secretary of Agriculture certain power in the employment of personnel in connection with conservation work on wild life refuges within the limits of the allocation of funds made by Executive Order No. 6766, June 29, 1934.

Executive Order No. 6910-A, Dec. 1, 1934 (by authority of the Emergency Appropriation Act, fiscal year 1935 (Public No. 412, 73d Congress)) appropriating $899,675,000 as an additional amount for carrying out the purposes of the Acts enumerated under the above mentioned title, transfers to the credit of the War Department $10,000,000 of the amount heretofore allocated from the said appropriation to the Emergency Conservation Fund. The funds herein allocated, upon request of the Chief of Finance, under direction of the Director of Emergency Conservation Work, shall be transferred to the credit of the Department of Agriculture for withdrawal or requisition by the Secretary as an additional amount to carry out the purposes of Executive Order No. 6208, July 21, 1933 and No. 6787, June 30, 1934, for the purchase of lands within national forest areas.

Executive Order No. 7029, April 30, 1935 (by authority of the Emergency Relief Appropriation Act of 1935) allocates the sum of $400,000 "from the appropriation made by the said Act to the Director, Emergency Conservation Work, for immediate transfer to the credit of the Department of Agriculture, subject to requisition by the Secretary of Agriculture, for prosecuting the conservation work provided for by Executive Order No. 6208, dated July 21, 1933, as amended by Executive Order No. 6787, June 30, 1934, Executive Order No. 6724, May 28, 1934, and Executive Order No. 6766, June 29, 1934.

Authorizes the Secretary to employ services and means mentioned in subdivision 3 of the Emergency Relief Appropriation Act of 1935, to extent therein provided, and within the limitations prescribed, to exercise the authority with respect to personnel conferred by subdivision (b) thereof, and in the acquisition of real property or any interest therein to acquire the same by the power of eminent domain, when necessary, etc.

Executive Order No. 7129, Aug. 6, 1935, as amended by Executive Order No. 7190, Sept. 25, 1935 (by authority of the Reforestation Act (Public No. 5, 73d Congress) as extended by the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11)) authorizes acquisition of lands owned by the United States on Isle Royale in Lake Superior, Michigan, for work and improvements thereon to provide disease control and protection from forest fires, floods, soil erosion, and plant pests. Allocates $705,000 for acquisition in fee simple of said lands from appropriation made available by Emergency Relief Appropriation Act of 1935.

389. S.Res. 159 (Agreed to June 24, 1935): (McKellar) [Requesting the Secretary of the Interior to furnish the Senate with certain information relative to the C.C.C. camps in Tennessee.]

Federal Emergency Relief Administration

390. Federal Emergency Relief Administration.

Continued until June 30, 1936 by Public Resolution No. 11, the Emergency Relief Appropriation Act of 1935.

Harry L. Hopkins, Administrator.

Executive Order No. 6952, Jan. 24, 1935 (by authority of the Civil-Works Emergency Relief Act, Public No. 93, 73d Congress) appropriating $950,000,000 to carry out the purposes of the Federal Emergency Relief Act of May 12, 1933 (Public No. 15, 73d Congress) transfers the sum of $30,000,000 from the sum of $450,000,000 heretofore allocated to the Federal Civil Works Administration from the said appropriation of $950,000,000 for expenditures during the fiscal year ending June 30, 1935, to the Federal Emergency Relief Administration.

391. Executive Orders Relative to Lands.

Executive Order No. 6909, Nov. 21, 1934 (by authority of Act of June 25, 1910 as amended by Act of August 24, 1912) orders all of the unreserved and unappropriated public lands of the United States in Custer, Fall River, Jackson, and Pennington Counties, South Dakota, to be temporarily withdrawn from settlement, location, sale, or entry, for classification and use as a grazing project pursuant to the submarginal land program of the Federal Emergency Relief Administration.

Executive Order No. 6910-B, Dec. 1, 1934 (by authority of the Emergency Appropriation Act, fiscal year 1935 (Public No. 412, 73d Congress) appropriating $525,000,000 to meet the emergency and necessity of relief in stricken agricultural areas) allocates $5,000,000 to the Federal Emergency Relief Administration "for

the purpose of affording relief through the purchase of submarginal lands in the stricken agricultural areas including the necessary costs of administration of such lands as may be acquired for such purpose," and $10,000,000 to the Emergency Conservation Fund "for the establishment and maintenance of Civilian Conservation Corps camps pursuant to the Act of March 31, 1933" (Public No. 5, 73d Congress). Revokes Executive Order No. 6793, July 11, 1934.

Executive Order No. 6964, Feb. 5, 1935 (by authority of Act of June 25, 1910 as amended by Act of August 24, 1912) orders all the public lands in the States of Alabama, Arkansas, Florida, Kansas, Louisiana, Michigan, Minnesota, Mississippi, Nebraska, Oklahoma, Washington, and Wisconsin temporarily withdrawn from settlement, location, sale, or entry, and reserved for classification and pending determination of the most useful purposes to which said lands may be put in furtherance of said Land Program, Federal Emergency Relief Administration, and for the conservation and development of natural resources.

The Federal Board of Public Works by its resolution of July 18, 1934, included in the comprehensive program of public works contemplated by title II of the National Industrial Recovery Act certain projects known as The Land Program.

This is amended by Executive Order No. 7363, May 6, 1935 to permit, subject to valid existing rights, the exchange under Sec. 8, the sale under Sec. 14, and the leasing under Sec. 15 of the Taylor Grazing Act of June 28, 1934, of any lands covered by Executive Order No. 6964.

Executive Order No. 6983, March 6, 1935 (by authority of title II, National Industrial Recovery Act) designated and authorized "the Federal Emergency Relief Administrator, and the Director of the Land Program as he may be authorized by such Administrator, to acquire by purchase or by the exercise of the power of eminent domain any real or personal property or any interest therein, in connection with the construction or carrying on of any project or program financed by allocations, allotments, or transfers made, or to be made, to the Federal Emergency Relief Administration under the authority and in accordance with the provisions of the said National Industrial Recovery Act or acts supplementing the appropriations heretofore made therefor, and to sell any security acquired or any property so constructed or acquired or to lease any such property with or without the privilege of purchase, and to administer or to direct the administration of such property.

392. S.Res. 115 (Agreed to May 1, 1935): (Couzens) [Authorizing and directing the Senate Committee on Appropriations to inquire of the Federal Emergency Relief Administration and to report to the Senate certain information relative to distribution of funds of the Administration.]

Report from Relief Administrator Hopkins pursuant to resolution printed as S.Doc. 56.

393. S.Res. 158 (Agreed to June 21, 1935): (Vandenberg-LaFollette-Shipstead) [Requesting the Administrator Harry L. Hopkins, of the Federal Emergency Relief Administration, to report to the Senate respecting the Alaskan colonization enterprise, etc.]

Federal Surplus Commodities Corporation

394. Federal Surplus Commodities Corporation.
Name changed from Federal Surplus Relief Corporation to Federal Surplus Commodities Corporation on Nov. 18, 1935.

Industrial Cooperation

395. Coordinator for Industrial Cooperation.
Executive Order No. 7324, Mar. 3, 1936. (By authority of the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11))
Effective April 1, 1936, designates George L. Berry, as Coordinator for Industrial Cooperation, with following functions and duties: "To arrange for and supervise, subject to the direction of the President, conferences of representatives of industry, investors, labor and consumers for consideration of means of supplementing the government's efforts by providing employment for the greatest possible number of employable persons and ef improving and maintaining industrial, commercial and labor standards as they affect employment, and to submit reports and recommendations to the President with respect thereto." Space is to be provided by the Secretary of Commerce, etc.
George L. Berry was previously designated Coordinator for Industrial Cooperation by Executive Order No. 7193, Sept. 26, 1935, by authority of the National Industrial Recovery Act, Title I, Sec. 2 (a) and (b) as extended by Public Resolution No. 26.

Puerto Rico

396. Puerto Rico Reconstruction Administration.
Established by Executive Order No. 7057, May 28, 1935, by authority of the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11) as an agency within the Department of the Interior, to "initiate, formulate, administer and supervise a program of approved projects for providing relief and work relief and for increasing employment within Puerto Rico."
Ernest H. Gruening, Administrator.

397. To Provide That Funds Allocated to Puerto Rico under the Emergency Relief Appropriation Act of 1935 May Be Expended for Permanent Rehabilitation. Public No. 442 (S. 3140) Approved Feb. 11, 1936.
All sums segregated or allotted by the President for projects in Puerto Rico out of money appropriated by the Emergency Relief Appropriation Act of 1935 shall constitute a special fund to continue available until June 30, 1940. All income derived from operations financed out of this fund and proceeds of the disposition of property acquired therewith shall constitute a revolving fund which shall remain available notwithstanding limitation of time contained in said Act.

Projects for rural rehabilitation in Puerto Rico may include the acquisition, development, maintenance, and operation of agricultural enterprises.

Authorizes transfer to the revolving fund, of all or part of the unobligated balance of taxes collected from the processing of sugar beets or sugarcane in Puerto Rico and/or in continental United States of sugar produced in or coming from Puerto Rico in the discretion of the President, and notwithstanding the provisions of Sec. 15 (f) of the Agricultural Adjustment Act, as amended by Sec. 8 of the Jones-Costigan Sugar Act (Public No. 213, 73d Congress). $10,000,000 of this fund may, in the discretion of the President, be set aside for use as an insurance fund to insure individual agriculturists in Puerto Rico against damage by hurricane to their farm dwellings and buildings, growing crops, plants, and trees, warehouses and produce in barns and warehouses, to be so employed only when Secretary of Interior finds that commercial insurance is not available, and at premiums sufficiently high to keep principal of the original insurance fund intact. Policies shall be issued under terms and premium rates prescribed by regulations of the Secretary of Interior. All moneys collected as premiums or otherwise in this connection shall constitute accretions to the insurance fund, etc.

Youth

398. National Youth Administration.

Established within the Works Progress Administration by Executive Order No. 7086, June 26, 1935, (by authority of the Emergency Relief Appropriation Act of 1935)

Provides for the Administration a National Advisory Committee to be composed of representatives of labor, business, agriculture, education, and youth, to be appointed by the President, and an Executive Committee, with Josephine Roche as Chairman, and other members to be appointed by the President, Executive Order No. 7101, July 16, 1935, appointed Charles W. Taussig as Chairman, and Executive Order No. 7123, Aug. 1, 1935, appointed certain members of the National Advisory Committee. Executive Order No. 7096, July 9, 1935, appointed Arthur J. Altmeyer, John Studebaker, M. L. Wilson, Lee Pressman, Chester Hayden McCall as members of the Executive Committee.

Prescribes functions and duties: "To initiate and administer a program of approved projects which shall provide relief, work relief, and employment for persons between the ages of sixteen and twenty-five years who are no longer in regular attendance at a school requiring full time, and who are not regularly engaged in remunerative employment."

"The National Youth Administration shall be under the general supervision of the Administrator of the Works Progress Administration and under the immediate supervision of an Executive Director,... who shall also be a member of the Advisory Committee on Allotments."

Aubrey W. Williams, Executive Director.

399. S.Res. 67 (Agreed to February 4, 1935): (Walsh) [Directing the Secretary of Labor: to furnish the Senate with an estimated statement of the number of young men and women between the ages of 18 and 30 who

have emerged from educational institutions and who are at present without permanent employment and what, if any, study has been made of this problem by any department of the Government; to inform the Senate as to the feasibility of creating a special division of the Department of Labor, or a special bureau in the Public Works Administration, to maintain contact with other governmental departments and agencies, the labor departments of the several States, and private employers, for the purpose of ascertaining employment, and requiring each department and agency of the Government to submit a list of positions deemed suitable, for this class of unemployed; and to advise as to the feasibility of the receiving applications from and assigning such class of unemployed to positions.

Directs the Civil Service Commission to submit to the Senate information concerning what steps, if any, it has taken to encourage men and women of this group to classify in the civil service by taking examinations therefor, and to advise, in the event that nothing has been done, upon the feasibility of encouraging them to enter the civil service, and as to what means would best be adapted.]

Response from the Civil Service Commission printed as S. Doc. 50: Employment for Graduates of Educational Institutions. April 15, 1935.

United States Chamber of Commerce

400. H.Res. 212 (Agreed to May 6, 1935): [Requesting the President, if agreeable to him and available, to transmit to the House the full text or transcript of his press conference of Friday, May 3, 1935, on the resolutions of the United States Chamber of Commerce on his legislative program.]

Communication from the President of the United States in regard to resolution laid before House on May 8, 1935.

Vocational Education

401. Further Development of Vocational Education. Public No. 673 (H.R. 12120) Approved June 8, 1936.

House hearing held.

Authorizes an annual appropriation of $12,000,000 beginning with the fiscal year 1937 to be allocated among the States for further development of vocational education - one-third on basis of farm population, one-third on basis of rural population, and one-third on basis of nonfarm population (an additional $175,000 being authorized so as to insure to each State a minimum allotment of $20,000 for each of the 3 purposes).

In addition authorizes annually during said period (a) an appropriation of $1,200,000 to be used for salaries and necessary travel expenses of teachers training in, distributive occupational subjects in the States and Territories and (b) an appropriation of $1,000,000 for preparing teachers, supervisors, and directors of agricultural, trade and industrial, and home-economics subjects. In both cases the allotments are to be made on the basis of population and an additional $54,000 is authorized annually to insure each State a minimum allotment of $10,000. Authorizes an annual appropriation of $350,000 to Office of Education for administrative expenses.

Certain requirements in regard to States matching funds are contained in the Act. All appropriations are in addition to those authorized under Vocational Education Act of 1917, but subject to its conditions except as to certain part-time classes, and in lieu of appropriations under Act of May 21, 1934 (Public No. 245, 73d Congress).

Wool

402. S.Res. 160 (Agreed to July 10, 1935): (Adams-Steiwer) [Authorizing and directing a special committee of 3 Senators to make a full and complete investigation of the production, transportation, and marketing of wool, and report to the Senate, not later than the beginning of the 2d session of the 74th Congress, the results, together with recommendations for necessary legislatien.]

This is continued in full force and effect during the 75th Congress, and a further appropriation of $3,500 made by S.Res. 315 (Agreed to June 6, 1936).

403. S.Res. 178 (Agreed to August 19, 1935): (Copeland) [Directs the U.S. Tariff Commission to investigate the differences in the costs of production of domestic knit gloves and mittens made wholly or in chief value of wool, dutiable under paragraph 1114 (b) of the Tariff Act of 1930, and of any like or similar foreign articles, for the purposes of Sec. 336 of that Act.]

Response of the Tariff Commission printed as United States Tariff Commission. Report No. 108, second series (173 T17Rs): Report to the President. Wool Knit Gloves and Mittens.

Proclamation of the President No. 2158, Feb. 21, 1936, under authority of the Tariff Act of 1930, approves the Tariff Commission report and proclaims "that the rates of duty shown by the said investigation to be necessary (within the limit provided in said Sec. 336) to equalize such difference on knit gloves and knit mittens, finished or unfinished, wholly or in chief value of wool, valued as defined in subdivisions (c), (d), (e), and (f) of Sec. 402 of said act of June 17, 1930, in the order specified in Sec. 402 (a) at not more than $1.75 per dozen pairs, are 40 cents per pound and 35 per centum ad valorem based upon the American selling price as defined in the said Sec. 402 (g)" of knit gloves and mittens, manufactured or produced in the United States, etc.

Proclamation of the President No. 2155, Jan. 18, 1936. By authority of Sec. 318, Tariff Act of 1930. Extends the period of furnishing proof of use in manufacture of bonded wool and camel hair. Previously extended by Proclamations No. 2023, Dec. 23, 1932; No. 2069, Dec. 30, 1933; and No. 2113, Jan. 7, 1935.

404. S.Res. 270 (Agreed to May 28, 1936): (Copeland) [Directing the U. S. Tariff Commission to investigate the differences in the costs of production of foreign and domestic knit gloves and mittens made wholly or in chief value of wool dutiable under paragraph 1529 (a) of the Tariff Act of 1930].

Bills Vetoed

405. H.R. 3019. To amend "An act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes", approved June 28, 1934 (48 Stat. 1269) Pocket veto September 6, 1935.
House hearings held on bill (282 Un3To)

H.R. 3896. To provide for the immediate payment to veterans of the face value of their adjusted-service certificates, for controlled expansion of the currency, and to extend the time for filing applications for benefits under the World War Adjusted Compensation Act, and for other purposes. Vetoed May 22, 1935 (For veto message See H.Doc. 197)
House hearings held on bill (284 Un391P .. 2 pts)
Senate hearings held on bill (284 Un31Pa)

H.R. 5368. To provide for the addition of certain lands to the Chalmette National Monument in the State of Louisiana, and for other purposes. Pocket veto June 29, 1936.
House hearings held on bill (98.7 C35)
Senate hearings held on bill (98.7 C352 and 98.7 C352C)

H.R. 6776. To amend the Emergency Farm Mortgage Act of 1933, as amended, and for other purposes. Pocket veto September 6, 1935.
Senate hearings held on bill (284.2 Un31Ea)

H.R. 7349. To amend the act entitled "An act for the control of floods on the Mississippi River and its tributaries, and for other purposes", approved May 15, 1928, as amended. Vetoed August 22, 1935.
House hearings held on bill (290 Un33Se)

H.R. 8055. To provide for economic studies of the fishery industry, market news service, and orderly marketing of fishery products, and for other purposes. Pocket veto June 25, 1936.

H.R. 12062. To authorize the Secretary of the Interior to accept unsurveyed lands in numbered school sections in the State of Arizona in exchange for certain lands, and for other purposes. Pocket veto June 29, 1936.

S. 1453. To create a board of shorthand reporting, and for other purposes. Vetoed March 21, 1936. (For veto message See S.Doc. 189)

S. 1626. For the refunding of certain countervailing customs duties collected upon logs imported from British Columbia. Vetoed February 4, 1936. (For veto message See S. Doc. 170)

S. 3612. To provide for loans to farmers for crop production and harvesting during the year 1936, and for other purposes. Vetoed February 26, 1936. (For veto message See S. Doc. 179)

INDEX

Item

Acadia National Park.....194,195
Ackia Battleground National Monument.....196
Adams.....402
Adams Act.....38
Adjusted Compensation Payment Act, 1936.....1,50
Adjusted-service certificates...1,405
Advisory Board on National Parks, Historic Sites, Buildings, and Monuments.....192
Advisory Committee on Allotments.....379
Advisory Council.....235,239
Advisory Council on Economic Security.....334
Agricultural Adjustment Act
  amendments.....4
  appropriations.....42,43
    available for tobacco compacts.....372
    available for soil survey, Hawaii.....46
    available for World's Poultry Congress.....151
    unexpended balances 114
  Cotton Act.....8,15
  Cotton price adjustment plan.....9
  Cotton processing tax.....3
  foreign trade.....4,9
  hog cholera virus and serum.....18
  imports, limitation of.....6,13
  payments to cotton ginners.....11
  payments to producers...4,10,12,22
  Potato Act.....8,15
  rice.....2
  Soil Conservation and Domestic Allotment Act.....342
  sugar.....17
  taxes, collection of.....5
  taxes, refunds.....19-21,360
  taxes, processing, sugar
    available for insurance, Puerto Rico.....397
    available for work relief...377
  taxes, stocks in hand.....16
  tobacco.....8,15
  unconstitutional.....7
Agricultural Adjustment Act, Title III See Thomas Inflation Amendment

Item

Agricultural Adjustment Administration
  crop loans.....27
  Executive Committee on Foreign Policy.....113
  expenditures, submission of..51
  Land Policy Section.....312
Agricultural compositions and extensions.....60
Agricultural credit
  crop loans.....27-28,405
  Emergency Farm Mortgage Act of 1933.....23,24,25,45,405
  emergency relief.....377,381
  Farm Credit Act of 1935.....23,26
  Federal Farm Loan Act.....23,26,46
  Puerto Rico.....29-32
  reclamation and irrigation...33-37
  rural rehabilitation.....377,388
  tobacco compacts.....371
  See also Bankruptcy; Power; Resettlement Administration
Agricultural Economics, Bureau of
  appropriations.....42-46,48
  cotton report.....89-90
  peanuts.....246
  Perishable Agricultural Commodities Act.....247
  tobacco.....373-374
Agricultural extension and experiment station work.....38,307
Agricultural implements and machinery See Machinery, agricultural
Agricultural Marketing Act.....23
Agriculture, Department of
  Agricultural income.....272
  Executive Committee on Commercial Policy.....113
Agriculture, Representative of....398
Agriculture, Secretary of
  Advisory Committee on Allotments.....379
  Agricultural Adjustment Act amendments.....4
  Cotton Control Act.....15
  Cotton Price Adjustment Plan.....9
  imports, limitation of.....6
  payments to producers..10,12,22
  Potato Act.....15

Item

Agriculture, Secretary of - Cont'd
Agricultural Adjustment Act - continued
processing taxes.....21
refunds.....19,20
rice.....2
sugar.....17
tobacco.....15
Cabinet Committee.....94
California Pacific International Exposition.....137
Central Statistical Act....309-310
Committee on Industrial Analysis.....241
Commodity Credit Corporation...301
Commodity Exchange Commission...99
conservation of wildlife 75-77,388
conventions, expenses of.....52
cotton and wheat.....116
cotton report.....89-90
Filled Milk Act.....95
grasshoppers.....124
Great Lakes Exposition.....140
Great Plains Forest Experiment Station.....118
imports, agricultural.....117
lands.....75-76,172,174,388
migratory bird regulations.....76
National Resources Committee...287
naval stores.....243
peanut statistics.....246
poultry, live.....264
prices, industrial.....273
pulpwood.....120
Quetico-Superior Committee.....77
research, farm.....307
seafood inspection.....102
soil conservation.....340,342-343
sugar futures.....344
sugar producers in Puerto Rico.....346
Texas Centennial Exposition....149
tobacco.....371,373-374
watersheds.....104
western range.....167
Air Transport Labor Act.....299
Alabama.....391
Alaska.....27,38,166,307,342
colonization project.....393
Alcoholic beverages See Liquor
Allotments, Advisory Committee on See Advisory Committee on Allotments

Item

Amazon Petroleum Corporation et al. v. Ryan et al.....255
American Bankers' Association.....379
American Cotton Cooperative Association.....92
American merchant marine.....328-331
American Retail Federation.....41
American ships in foreign trade.....333
American Telephone & Telegraph Co.....74
Animal oils See Oils
Animals, domestic See Cattle; Livestock
Animas River.....318
Anti-Smuggling Act.....349
Antitrust laws.....4(Sec. 6),39-41, 72,234
See also Monopolies
Apples.....4
Appomattox Court House National Historical Monument.....197
Appropriations
Agricultural extension and experiment station work, Alaska.....38
Bureau of Budget
apportionment by.....97
approval by.....51
cattle, diseased.....4(Sec. 37),14
cotton, handling.....4(Sec. 35&36)
crop loans.....27
Deficiency, First
1935.....27,44,96,137
1936 and 1937.....18,46,74, 123,136,138-139,142, 267,288,296,298,317, 335,342,368,372,381,387
Deficiency, Second
1935 and 1936.....45-47,108, 144,149,159,208,240,256, 296,307,368,387
Deficiency, Fourth, 1933.....75,77, 292,312,377
Department of Agriculture
1936.....3,42
1937.....43,307
emergency, appointments from...252
emergency, 1935.....15,27,43,45, 77,277,312,377,387-388,391
emergency relief
1935.....377
1936.....381

Item

Appropriations - Continued
flood control.....104,105
Great Lakes Exposition.....140
inactive and permanent.....53
Independent Offices
1934.....45,82
1935.....97
1936.....30,49,108,272,384,387
1937.....1,50,108,296,298,309,342,384,387
Inter-American Conference.....141
legislative, 1933.....46
receipts from customs...4(Sec. 32),9,20
research, farm.....307
restricting use of.....52,377
Rio Grande canal.....315
rural electrification.....267
social security.....334-335
State forests.....174
supplemental
1936.....1,9-11,15,48,134,137,139,147,150,158,196,215,244,309,334,340,342,373,376-377
urgent.....47
Tennessee Valley Authority.....368
unemployment relief
District of Columbia.....385
President's message.....382
vocational education.....401
Arizona.....168,176,405
Arkansas.....76,206,257,391
Arms See Munitions
Arms and Munitions Control, Office of.....244
Arrow-wood Migratory Waterfowl Refuge, S. Dak.....76
Ashton, C. L. v. Cameron County Water Improvement District.....68
Ashurst.....193
Ashwander, George, et. al v. Tennessee Valley Authority.....368
Asparagus.....4
Associated Country Women of the World.....136
Associations of producers
encourage establishment of State and local.....4(Sec. 16)
Soil Conservation and Domestic Allotment Act.....342-343
soil erosion, T. V. A.....367

Item

Associations of producers - Cont'd
tobacco.....371
See also Cooperatives
Attorney General.....99,190

Badlands National Monument.....198
Baltimore.....96
Bangs' disease, Elimination in cattle.....4(Sec. 37),14
Bankhead.....123,307
Cotton Act.....4,8,11,15
Banking
Banking Act of 1933.....57
Banking Act of 1935.....57
collateral security.....54
deposits, insurance of.....55,57
Emergency Banking Act..45,48,57-58
Federal Reserve Act.....54-59
loans to executive officers.....56
profits, exempt from surtax....360
sales or loans, contracts for...59
stock, exempt from taxation.....58
See also Credit; Home financing; Money; R.F.C.; Securities
Bankruptcy.....57,60-69,158
Bankruptcy and receivership proceedings in United States Courts.....70
Barbour.....314
Barkley.....332
Bell.....336-337
Big Bend National Park.....199
Big Levels Game Refuge.....76
Bills vetoed.....405
Bird refuges See Conservation of wild life
Bituminous Coal Conservation Act of 1935.....72
Bituminous Coal Labor Board.....72
Black.....218
Blind, Aid to.....334-335
Bluestone Reservoir Project.....284
Board of Review, Treasury Department.....20
Board of Shorthand Reporting.....405
Boeuf Floodway.....105
Bonded merchandise.....327
Borah.....119,273
Boston.....96
Boulder Canyon project.....45
Boulder Canyon Wild Life Refuge....76
British Columbia.....405

Item

Brussels.....138
Budget, Bureau of.....51,97,254,379
Buenos Aires.....141
Buildings, Public See Contracts, public; Public works
Bulkley.....231
Business See Industry
Business Advisory Council.....71,379
Business Cooperation, Division of.....235,239
Butter.....99
Buy American Act.....85
Byrd.....122,279

Cabinet Committee, cotton textile industry.....94
Cabinet Committee on Price Policy 237
California.....169-173,176,257
California Pacific International Exposition.....137
Canada, Red cedar shingles.....360
Cape Romain Migratory Bird Refuge, S. Car.....76
Capper-Ketcham Act.....38
Carriage of goods by Sea Act.....325
Carter v. Carter Co., Helvering, et al.....72
Cattle
diseases.....4(Sec. 37),14
tariff.....347
See also Livestock
Cedar shingles.....360
Census, Bureau of the.....335
Central Statistical Act.....309-310
Central Statistical Board.....309-310
Central Statistical Committee.....309
Cereal preparations.....19
Chain stores.....40
Chalmette National Monument.....405
Chardon Plan.....346
Cherokee National Game Refuge No. 1, Tenn.....76
Chicago.....96
Children, Aid to.....334-335
Chippewa Indian Cooperative Marketing Association.....86
Cincinnati.....96
Civil Service Commission....49,50,399
See also Personnel
Civil Works Administration See Unemployment relief
Civil Works-Emergency Relief Act.....377,384,390

Item

Civilian Conservation Corps See Emergency Conservation Work
Claims
contractors.....240
cooperative marketing associations.....87
Clayton Act.....57
Cloth, cotton See Manufactures, cotton
Coal.....72
tariff.....361
Coastwise laws.....324
Coastwise Trade Act of 1935.....322
Cochran.....41
Coconut oil See Oils
Codes of Fair Competition.....83,233, 234,235,236,241,242,255
Coffee.....350
Collateral Security Act.....54
Colonial National Monument.....200
Colorado.....176,257,316
Commerce, Department of
Executive Committee on Commercial Policy.....113
merchant marine.....328,330
statistical studies.....305
Commerce, Secretary of
Business Advisory Council.....71
Cabinet Committee.....94
California Pacific International Exposition.....137
Central Statistical Board.....310
Central Statistical Committee..309
Commodity Exchange Commission...99
cotton.....116
Great Lakes Exposition.....140
N.R.A.....239,241
National Munitions Control Board.....244
National Resources Committee...287
shipping.....325
Texas Centennial Exposition....149
trade routes.....332
Committee on Economic Security....334
Committee on Industrial Analysis.....239,241
Committees of producers See Associations of producers
Commodities, agricultural
contracts, public.....85
foreign trade.....4,342
handling of.....4
imports.....116

Item

Commodities, agricultural - Cont'd
maintenance of supply.....342
payments in connection with production.....12
purchases of.....9
transportation of.....376
Commodity Credit Corporation....46,51, 92,301
Commodity Exchange Act.....99
Commodity Exchange Commission.....99
Communications.....73-74
Companies See Corporations; Public utility holding companies
Comptroller General of the United States.....53,83,367
Comptroller of the Currency.....57
Congressional Record.....121
Connecticut.....96,106,371
Connery.....158
Conservancy districts.....35
Conservation of wild life
appropriations
mammal and bird reservations.....45
North American Wildlife Conference.....75
Convention between U. S. and Mexico.....78
Game and Wildlife Act of 1935...48, 75
game, Interstate shipments.....75
investigations.....79-80
lands.....75-76,388
Migratory Bird Conservation Act.....75,76
Migratory Bird Hunting Stamp Act of 1934.....75
Migratory Bird Treaty Act....76,78
migratory game birds, Regulations on.....76
Quetico-Superior Committee.....77
Constitution of the Philippines See Philippine Islands
Constitution of the United States, One hundred and fiftieth anniversary of the formation of the.....139
Consumers
poultry.....264
protection of interests of.....4
representative of.....395

Item

Consumers' Advisory Board of the National Recovery Administration.....237
Consumers' Counsel.....72
Consumers' Division of the National Emergency Council.....237
Consumers' Division of National Recovery Administration.....237
Consumers' Division within National Recovery Administration.....237,239
Consumers' Problems, Office of Adviser on.....237
Consumption, Domestic
encourage.....4(Sec. 2 & 32),9
normal production for.....12,342
Contracts, Acreage adjustment....10,22
Contracts, public.....81-85,240
See also Labor relations
Convention for the Protection of Literary and Artistic Works.....138
Cooperatives
antitrust laws.....40
claims.....87
cotton.....91-92
future trading.....99
Indians.....86,135
loans to.....23,313
tobacco statistics.....374
See also Associations of producers
Coordinator for Industrial Cooperation See Unemployment relief
Coos Head River and Harbor Reservation.....188
Copeland.....403-404
Copper, tariff.....361
Copra.....359
Corporate Bankruptcy Act.....158
Corporations
American Retail Federation.....41
bankruptcy.....60-62
See also Manufacturers; Public utility holding companies; Taxes
Cost of living.....97
Cost of production See Production, cost of
Cotton
acreage.....116

Item

Cotton - Continued
bags, manufacture of.....19
consumption.....116
contracts, option.....4
Control Act.....8,15
cooperatives.....91-92
future trading.....99
ginners, payments to.....11
investigation.....88
payment plan, price adjustment, 1935.....9
processing taxes.....3
production.....116
purchases.....4
report.....89-90
sales.....4
textile industry.....94
trade.....116
Cotton-Cattle-Dairy Relief Resolution.....4(Sec. 37),14,342
Cotton manufactures See Manufactures, cotton
Cotton Textile Work Assignment Board.....153
Cowzens.....392
Credit
foreign.....244
public works.....277,377,381
regulation.....57
See also Agricultural credit; Banking; Home Financing; Money; Power; Reconstruction Finance Corporation; Resettlement Administration; Securities
Crescent Lake Wildlife Refuge, Neb.....76
Crop production loans See Agricultural credit
Crosser-Wagner.....296
Cuba.....17
sugar crop.....344
Currencies, foreign.....108
Currency expansion.....405
Customs-enforcement areas.....349

Dairy products.....85
See also Butter; Milk; Oleomargarine
Davis-Bacon Act.....84
Delta Migratory Waterfowl Refuge, La.....76

Item

Deposit Insurance Extension Act.....55
Desert land entrymen See Homesteads
Des Lacs Migratory Waterfowl Refuge, N. Dak.....76
Disaster Loan Act.....302,304
Distribution
agricultural income.....272
agricultural machinery.....39
dairy products.....96
price discrimination.....40
District of Columbia
old-age assistance.....338
real estate liens.....365
unemployment compensation.....339
unemployment relief.....385
Division of Applications and Information.....379
Division of Business Cooperation See Business Cooperation, Division of
Division of Review See Review, Division of
Documents, Public See Government Publications
Domestic allotment.....342-343
Drainage districts
credit.....25,35
readjustment plans under Bankruptcy Act.....67
Driver.....79

Economic security See Social security
Economy Act.....46,47,97
Education, Office of.....335,401
Eggs.....99
Electric Home and Farm Authority.....46,51,369
Electricity See Power
Embargo See Foreign Trade
Emergency Banking Act, 1933 See Banking
Emergency Conservation Work See Unemployment relief
Emergency Crop Loan Act, 1934.....43
Emergency Crop Loan Act, 1935...27,43
Emergency Farm Mortgage Act of 1933.....23,24,25,45,405
Emergency Railroad Transportation Act of 1933.....292

Item

Emergency Relief and Construction Act of 1932.....300
Emergency Relief Appropriation Act of 1935.....377
appropriations available for
Bluestone Reservoir project.....284
crop loans.....28
emergency conservation work.....388
Emergency Relief Appropriation Act of 1936..381
investigation of government agencies...123
Jefferson National Expansion Memorial.....207
land conservation program.....4(Sec. 55)
lands and water for wild life.....75
minimum wages, public buildings.....84
Prison Industries Reorganization Administration.....275
Resettlement Administration.....311
Rural Electrification Administration.....267
Soil Conservation Act....340
wind erosion control.....342
Work Relief Supply Fund..379
constitutionality.....378
consumers' agencies.....237
coordinator for industrial cooperation.....395
Division of Applications, etc.....379
emergency conservation work.....387-388
Federal Emergency Relief Administration continued 390
jurisdiction of U. S. over resettlement and public works projects.....289-290
labor, regulations relative to.....380
National Emergency Council..232
National Resources Committee.....287
National Youth Administration.....398

Item

Emergency Relief Appropriation Act of 1935 - Continued
Prison Industries Reorganization Administration.....275
Public Works Administration continued.....277
Puerto Rico.....396-397
Quetico-Superior Committee.....77
Resettlement Administration.....311,313
Rural Electrification Administration.....267
Section 7.....85
Virgin Islands.....291
Emergency Relief Appropriation Act of 1936.....381
Eudora Floodway.....105
Everglades National Park.....201
Evidence.....98,228
Exchanges See Securities and Exchange Commission
Exchanges, Commodity.....99
Exchanges, cotton.....88
Excise Tax Act.....361
Executive Committee on Commercial Policy.....113
Executive Orders.....229,230
No. 3206.....367
6166.....97
6208.....388
6224.....97
6238.....308
6247.....230
6252.....277
6255.....309
6514.....369
6540.....97
6646.....83
6656.....113
6724.....388
6725.....308
6727.....97
6747.....312
6751.....156
6763.....157,158
6766.....388
6777.....287
6783.....77
6787.....388
6793.....391

Item

Executive Orders - Continued

No. 6814.....222
6858.....155
6859.....235
6869.....97
6877.....153
6878.....153
6883.....201
6884.....76
6891.....76
6895-A.....222
6898.....388
6905.....157
6906.....155
6907.....292
6909.....391
6910.....176
6910-A.....388
6910-B.....312,391
6917.....274
6918.....367
6927.....97
6928.....108
6929.....277
6930.....153
6936.....97
6952.....390
6955-A.....153
6956.....274
6961.....76
6964.....391
6980-B.....256
6983.....312,391
6993.....235
7023.....76
7024-A.....232
7024-B.....256
7027.....311
7028.....312
7029.....388
7034.....379
7037.....267
7041.....291,312
7046.....380
7048.....176
7056.....379
7057.....396
7060.....380
7064.....277
7065.....287
7068.....379
7070.....252
7073.....232

Item

Executive Orders - Continued

No. 7074.....157,158
7075.....235
7076.....155,156,236,256
7077.....97
7083.....380
7084.....155
7085.....156
7086.....398
7089.....155
7090.....157
7091.....156
7096.....398
7097.....88
7098.....176
7100.....308
7101.....398
7104.....112
7106.....76
7116.....76
7117.....380
7119.....380
7120.....237
7121.....157
7123.....398
7124.....252
7125.....380
7126.....51
7129.....388
7130.....380
7139.....369
7142.....76
7143.....313,380
7148.....76
7149.....293
7150.....51
7151.....379
7152.....291
7154-A.....76
7156.....76
7157.....380
7158.....293
7159.....235
7160.....76
7161.....76
7164.....380
7163.....76
7169.....76
7170.....76
7171.....76
7172.....76
7173.....76
7174.....51

Item

Executive Orders - Continued
No. 7178....76
7180....380
7182....176
7183....76
7183-A....284
7185....76
7186....377
7190....388
7192....238
7193....395
7194....275
7197....252
7200....311
7202....275
7203....380
7204....380
7207....77
7211....176
7212....76
7214....76
7221....76
7222....76
7226....380
7229....76
7233....6
7235....176
7245....76
7246....76
7251....73
7252....239
7253....207
7256....176
7260....97
7261....100
7262....113
7263....69
7266....176
7267....176
7270....176
7274....176
7280....127
7281....57
7287....310
7289....176
7292....76
7295....76
7296....380
7297....370
7298....230
7301....76
7305....28
7312....108

Item

Executive Orders - Continued
No. 7316....76
7319....380
7321....251
7323....239,241
7324....395
7345....75
7363....391
7390....97
7396....381
7409....251
7410....251
Exhibits See International conferences, congresses, etc.
Expenditures, Submission to Bureau of the Budget....51
Expenses of conventions or meetings....52
Export-Import Bank of Washington....46,51,109
See also Second Export-Import Bank of Washington
Exports See Foreign Trade

Farm Credit Act of 1933....23
Farm Credit Act of 1935....23,26
Farm Credit Administration....23,27,28,51,301
appropriations....42,43
Farm machinery See Machinery, agricultural
Farm Mortgage Act....60
Farm organizations....379
Farm real estate See Real estate, farm
Farm Research Act....307
Federal Alcohol Administration....214,217
Federal Alcohol Control Act....214-215,217
Federal Board of Public Works....391
Federal Board of Surveys and Maps See Surveys and Maps, Federal Board of
Federal Civil Works Administration See Civil Works Administration
Federal Communications Commission....73,74
appropriation....47
Federal Coordinator of Transportation....51,292,295
Federal deposit insurance See Banking

Item

Federal Deposit Insurance Corporation.....51
Federal Emergency Administration of Public Works.....46,51
Advisory Committee on Allotments.....379
continued.....277
funds, restoration of.....377
Mississippi Valley Committee, Report of.....286
projects, emergency relief.....377,381
projects, information re.....280-282
projects, slum clearance and low-cost housing, jurisdiction over.....290
sugar production in Puerto Rico.....345
Federal Emergency Housing Corporation See Public Works
Federal Emergency Relief Act of 1933.....377,390
Federal Emergency Relief Act of 1935.....377
Federal Emergency Relief Administration.....51
Advisory Committee on Allotments.....379
Alaskan colonization project.....393
appointment of employees....252
funds of.....377,392
land program.....312,391
lands, purchase of.....391
National Resources Committee.....287
Rural Rehabilitation Division.....312
wind up affairs.....381
Federal Farm Board.....87,101
Federal Farm Loan Act.....23,26,46
Federal Farm Mortgage Corporation.....23,31,32,46,51
Federal Home Loan Bank Act.....125
Federal Home Loan Bank Board.....46, 51,129
Federal Housing Administration.....46, 51,127,128
Federal intermediate credit banks.....23
Federal Land Bank of Baltimore..31,32
Federal land banks.....23,35,45,46
Federal Open Market Committee.....57

Item

Federal Power Act.....266
Federal Power Commission..266,270,367
Federal Prison Industries, Inc....274
Federal reclamation projects See Reclamation projects
Federal Register, Division of 229,230
Federal Register Act.....229
Federal Reserve Act See Banking
Federal Reserve Board.....23
Federal Reserve System, Board of Governors of the.....57,310
Federal Savings and Loan Advisory Council.....125
Federal Savings and Loan Insurance Corporation.....46,51,125
Federal Savings and Loan System....51
Federal Surplus Commodities Corporation.....9,46,394
Federal Surplus Relief Administration.....51
Federal Surplus Relief Corporation.....394
Federal Trade Commission.....39,40, 96,238,272
Federal Trade Commission Act.....234
Federal Water Power Act...173,199,266
Feeds
livestock, credit for.....27-28
mill.....99
Fertilizers.....367
See also Potash industry
Fibers.....342,348
Filled Milk Act.....95
First Export-Import Bank of Washington See Export-Import Bank of Washington
Fish.....102-103,376,405
Fish oils See Oils
Flax seed.....99
Fletcher-Steagall.....125
Flood control
emergency relief projects.....377,381,388
Flood Control Act of 1936.....104
Mississippi River.....105,405
New York Waterways.....107
Resettlement Administration.....311
soil conservation.....340
State compacts.....106
T.V.A.....367
Floods, R.F.C. loans for repairs.....302,304

Item

Floor-stocks See Payments; Taxes
Florida.....76,201,203,391
Florida Fair and Gasparilla Association.....146
Flour.....19
Food See Commodities, Agricultural
Food and Drugs Act.....102
Footwear.....355
Foreclosure proceedings
  bankruptcy.....60
  Puerto Rico.....31
Foreign service.....108,358
Foreign trade
  A.A.A.....4
  Executive Committee on Commercial Policy.....113
  export-import banks.....109-110
  exports of merchandise for drawback purposes.....352
  exports, subsidize.....4(Sec. 32)
  imports, limitation of..4(Sec. 31), 6,13
  imports, shingles, limitation of.....360
  imports of agricultural products.....116-117
  imports of pulpwood.....119-120
  munitions.....244
  Soil Conservation and Domestic Allotment Act.....342
  Special Adviser to President on Foreign Trade.....110
  statistical studies.....305
  tin.....114-115,370
  See also Shipping; Tariff
Foreign Trade Zone Board.....112
Forest Homestead Act.....131
Forestation
  Great Plains Forest Experiment Station.....118
  pulpwood.....119-120
  relief projects.....377
  Resettlement Administration....311
  See also Lands, forest
Fort Frederica National Monument.....202
Fort Marion National Monument.....203
Fort Pulaski National Monument....204
4-H boys and girls clubs.....52
France.....330
Frazier-Lemke.....60
Freight rates.....326,376

Item

Fruits.....4,272
Fur.....353,360
Future sales, tax on.....361
Future trading See Exchanges, Commodity
Futures, sugar.....344

Game See Conservation of Wild Life
Gas See Petroleum; Power
General Accounting Office.....53
George Washington National Forest, Virginia.....76
Georgia.....202,204,208,252
Georgia Tobacco Belt.....371
Germany.....330
Gertrudie Island.....190
Gloves, knit.....403-404
Gluten, chiefly from wheat.....19
Gold-Clause Act.....220
Gold clauses in obligations.....220, 221,223
Gold Reserve Act.....45,48,222
Gore.....89
Government contracts See Contracts, public
Government publications...121,226-230
Government reorganization..97,122-123
Grades and standards
  peanuts.....246
  tobacco.....373-374
Grain.....87
  See also Wheat
Grain Futures Act.....99
Grand Coulee Dam.....288
Grants to States
  research, farm.....307
  social security.....334
  soil conservation.....342
  unemployment relief.....377,381
  vocational education.....401
Grapes.....272
  tariff on concentrate.....361
Grasshopper control.....45,124
Grazing See Lands, Grazing
Great Britain.....288,330
Great Lakes Exposition.....140
Great Plains Forest Experiment Station.....118
Grosjean, Alice Lee v. American Press Company, Inc., et al.....271
Guffey.....72

Item

Hart Mountain Game Refuge.....76
Hatch Act.....307
Hawaii.....10,22,27,28,46, 166,307,342
Hayden.....280,282
Healey.....85
Health, public.....334-335
Heard Act.....81
Hempseed See Oils
Hempseed oil See Oils
Historic sites.....192
Hog cholera serum and virus 4(Sec. 56-60),18
Holding companies See Public utility holding companies
Home financing.....125-129
See also National Housing Act
Home Mortgage Relief Act.....24,125
Home Owners' Loan Act of 1933.....125, 126
Home Owners' Loan Act of 1934.....126
Home Owners' Loan Corporation...46,51, 129
Homestead National Monument.....205
Homesteads.....130-133
Hoosac Mills case.....7
Hopkins Federal Savings and Loan Association v. Cleary.....126
Hot Oil Act.....256
Hot Oil Case.....255
Hot Springs National Park.....206
Housing
corporations.....61
low-cost.....57,277,290
relief projects.....377
See also Public works
Housing Division, Director of.....379
Huddleston.....376

Idaho.....176,209
Illinois.....106,140,257
Immigration.....134
Implements, agricultural See Machinery, agricultural
Imports See Foreign trade
Income
agricultural.....272
net, purchasing power of.....342
Income tax See Taxes
Indiana.....106,140
Indians
Chippewa Cooperative Marketing Association.....86
irrigation projects.....33-34

Item

Indians - Continued
lands.....177-184
Oklahoma.....135
Industrial Economics, Division of 241
Industrial Loan Act.....300
Industry, representative of...395,398
Inspection
plants.....262
seafood.....102
tobacco.....373
Insurance
mortgage.....57,125,128,304
Puerto Rico.....397
Insurance, Federal deposit See Banking
Insurance, unemployment See Social security
Insurance Company Loan Act.....300
Inter-American Conference.....141
Intercoastal Shipping Act, 1933...328
Interest
adjusted-service certificates....1
agricultural compositions or extensions.....60
payments.....4
rates.....23,26,27-28,58,313
reduction, Puerto Rico.....32
reduction on mortgages.....45,46
taxes under A.A.A.....8,19,20
Interior Department.....29,72,100, 159,256,312,396
Interior, Secretary of
Advisory Committee on Allotments.....379
C.C.C. camps, Tennessee.....389
Central Statistical Act.....310
Indians.....86,135
lands.....168,170,172-173, 175-176,184-187,191-192, 194-196,199-200,202,205, 207-208,210-212,405
lands for bird refuges.....75
National Resources Committee...287
Quetico-Superior Committee.....77
reclamation and irrigation.....34, 36-37
Rio Grande canal.....317
Rio Grande River.....318
Soil Erosion Service.....341
sugar producers, Puerto Rico...345
Virgin Islands.....291
Internal Revenue, Collector of....373
Internal Revenue, Commissioner of....15,19,20,214-215,217,297,360

Item

International Boundary Commission, United States and Mexico.....165, 315,317
International boundary line; Canada and U. S.....77
International conferences, congresses, etc.....136-151
International convention for the Protection of Industrial Property.....375
International Exposition of Paris.....142
International Institute of Agriculture.....45
International Joint Commission, United States and Great Britain.....288
International Labor Organization..159
International Statistical Institute.....143
International Wheat Advisory Committee.....42,43
Interparliamentary Union.....144
Interstate Commerce Act...323,325,376
Interstate Commerce Commission....328, 376
Interstate Oil Compact.....257
Investigations
  administration of receivership and bankruptcy proceedings.....70
  agricultural income.....272
  agricultural machinery.....39
  air and ocean mail contracts...331
  American Retail Federation.....41
  cotton cooperatives.....91-92
  cotton manufactures.....93
  cotton markets, manipulation of.....88
  cotton textile industry.....94
  dairy products.....96
  Federal Farm Board.....101
  footwear.....355
  fur pelts.....353
  government reorganization..122,123
  labor, migration of.....152
  labor, right to organize.....161
  land and water policies.....228
  livestock production.....43
  lobbying.....218-219
  munitions.....225
  National Economic Council.....231
  N.R.A. codes.....242

Item

Investigations--Continued
  New York waterways.....107
  ocean trade routes.....332
  old-age pension plans.....336-337
  petroleum.....258
  Philippines.....261
  potash industry.....263
  pulpwood.....119
  railroads.....293-294
  Real-Estate Bondholders' reorganizations.....321
  rural electrification.....267
  Silver Purchase Act.....224
  soil erosion.....43,340,342
  telephone.....74
  tin.....114-115
  wild life conservation.....79-80
  wool.....402-404
Irrigation
  districts
    credit.....35
    readjustment plans under bankruptcy.....67
  emergency relief projects.....377
  Indian projects
    adjustment of charges.....37
    relief to water users.....33
  Rio Grande Valley, N. Mex....34
Italy.....330

Japan.....330
Jefferson National Expansion Memorial.....207
Jicarilla Indian Reservation.....178
Jones.....307
Jones-Costigan Sugar Act.....17,397

Kanosh Band of Indians.....179
Kansas.....257,391
Kapok oil See Oils
Kapok seed See Oils
Kennesaw Mountain National Memorial Military Park.....208
Kentucky.....106
Kerr Tobacco Act.....4,8,15
Killcohook Migratory Bird Refuge, N. J.....76

Labor
  benefits of resettlement projects on.....314
  coal industry.....72

Item

Labor - Continued
credit, farm.....311,313,377
Filipinos.....134,355
merchant marine.....328
migrations across State lines.....152
railroad.....296-299
representative of.....379,395,398
See also Contracts, public; Social security; Unemployment relief
Labor, Department of.....306,334-335
Labor, Secretary of.....85,94,152, 153,157,163,239,241,287, 309-310, 334,379,399
Labor Disputes Joint Resolution...158
Labor relations.....153-162
N.R.A.....234-235,238,241
Labor-saving devices.....163
Lacey Act of 1900.....75
Lacreek Migratory Waterfowl Refuge, S. Dak.....76
LaFollette.....161
Lake Andes Migratory Waterfowl Refuge, S. Dak.....76
Lake Bowdoin Migratory Waterfowl Refuge, Mont.....76
Land Bank Commissioner loans 23,24,46
Land-grant colleges.....307
Land Policy Section See Agricultural Adjustment Administration, Land Policy Section
Land Program See Federal Emergency Relief Administration
Lands
acquisition of
farm for emergency relief projects.....377
farm for Resettlement Administration.....377
submarginal.....4(Sec. 55),391
within National forests.....388
Arizona.....168,405
Bluestone Reservoir Project....284
California.....169-173
conservation and utilization, National program of..4(Sec. 55)
F.E.R.A., Land Program.....391
flood control.....104,105
forest.....174,388
grazing....175-176,180-181,391,405
Indian.....135,177-184

Item

Lands - Continued
International Boundary Commission projects.....165
Michigan.....388
national parks and monuments.....75,191-212,405
Oregon.....46,185-189
park and recreational.....166
sale under court order.....164
Tennessee Valley.....367
Washington.....190
western range.....167
See also Conservation of wild life; Homesteads; Natural resources; Real estate; Soil conservation
Legal procedure See Evidence
Lemke.....60
Levee districts
credit.....25
readjustment plans under bankruptcy.....67
Lewis.....334
Linseed oil See Oils
Liquor.....213-217
excise tax.....359
tariff.....352
Liquor Enforcement Act of 1936....216
Liquor Law Repeal and Enforcement Act.....213
Liquor Tax Administration Act.....217
Liquor Taxing Act of 1934.....217
Little Tennessee River.....367
Little Waters.....283
Live Poultry Code.....233
Livestock
A.A.A. payments.....22
Bankruptcy Act.....66
credit.....23,27-28,381
production investigations.....43
products, government contracts for.....85
transportation of.....376
See also Cattle; Lands, grazing
Loans to Industries Act.....303
Lobbying.....41,218-219
Logs See Lumber
Lostwood Migratory Waterfowl Refuge, N. Dak.....76
Louisiana.....76,252,271,391,405
Louisville Joint Stock Land Bank v. William W. Radford, Sr.....60

Item

Low-cost housing See Housing
Lower Souris Migratory Waterfowl Refuge, N. Dak.....76
Lumber
  logs from British Columbia.....405
  tariff.....361

McAdoo.....70
McKellar.....91-92,389
McNeil Island.....190
Machinery.....163
  agricultural.....39
Maine.....106,194,195
Malheur Migratory Bird Refuge, Oregon.....76
Manila (abaca).....348
Manufacture, cost of See Production, cost of
Manufacturers
  agricultural machinery.....39
  agricultural products.....272
  and tariff.....354
  excise taxes.....361
  munitions.....244
  tobacco statistics.....374
  See also Contracts, public
Manufactures
  bonded wool and camel hair, use of.....403
  cotton.....19,93
Maps See Surveys and maps
Market news service
  fish.....405
  tobacco.....373
Marketing
  tobacco.....373
  wool.....402
  See also Cooperatives; Sale
Marketing agreements.....2,4,18
Marketing quotas, tobacco.....371
Markets, Expand...4(Sec.2 & 32),9,342
Massachusetts.....106,252
Materials, furnishing of See Contracts, public
Means, Gardner C.....273
Medicine Lake Migratory Waterfowl Refuge, N. Dak.....76
Merchant Marine Act, 1920.....322, 324,328
Merchant Marine Act, 1928.....328
Merchant Marine Act, 1936.....328
Metcalf.....93

Item

Mexico
  Convention for protection of migratory birds and game mammals.....78
  See also International Boundary Commission
Michigan.....76,140,257,388,391
Middle Rio Grande Conservancy District.....34
Migratory birds and waterfowl See Conservation of wild life
Milk.....4,95-96
Mill feeds See Feeds, mill
Mineral Development Credit.....300
Minneapolis.....96
Minnesota.....76,77,140,391
Mississippi.....196,391
Mississippi River See Flood Control
Mississippi Valley Committee See Federal Emergency Administration of Public Works
Missouri.....76,207
Money.....220-224
  See also Currency
Monopolies.....96,163,272
  telephone.....74
  See also Antitrust laws
Montana.....76,176,177
Monuments See Lands, National parks and monuments
Moon National Monument.....209
Morganza Floodway.....105
Morrill Act.....307
Motor Carrier Act, 1935.....376
Muleshoe Migratory Waterfowl Refuge.....76
Municipal Bankruptcy Act.....67-68
Munitions.....225,244
Murphy, Louis, Senator.....117

National Academy of Sciences.....308
National Advisory Committee of National Youth Administration..398
National Archives.....226-230
National banking associations.....57
National Bituminous Coal Commission.....72
National Economic Council.....231
National Emergency Council.....232, 237,379
National Employment Service Act...154

Item

National Housing Act.....57,61,125, 128,300,304
National Industrial Recovery Act
Title I
constitutionality.....233
consumers' agencies.....237
Coordinator for industrial cooperation.....395
Executive Orders.....236
extension.....234
Federal Trade Commission, Delegating authority to..238
National Labor Relations Board.....157,158
National Steel Labor Relations Board.....156
oil regulation, constitutionality of.....255
Textile Work Assignment Boards.....153
Textile Labor Relations Board.....155
Title II
Bluestone Reservoir project.....284
claims of contractors.....240
emergency relief projects...381
funds under.....279,290,292,377
land program,F.E.R.A.....391
not modified by Walsh-Healey government Contracts Act.....85
Public Works Administration.....277,377
transfers to Resettlement Administration.....312
Virgin Islands.....291
National Industrial Recovery Administration
agricultural income.....272
Business Advisory Council
reports.....71
Committee of Industrial Analysis.....241
Consumers' Division.....237,239
expenditures of.....51
investigation of codes.....242
Office of Administrater
created.....235
terminated.....239
National Industrial Recovery Board terminated.....235

Item

National Labor Relations Act.....158
National Labor Relations Board....157, 158
National Mediation Board.....298,299
appropriation.....47
National Munitions Control Board.....244,370
National Park Service 166,191,196-197, 199,202,208,210-212
National Park Trust-Fund Board....191
National parks and monuments See Lands, National parks and monuments
National Power Policy Committee See Power
National Prohibition Act.....213
National Railroad Adjustment Board.....298
appropriation.....47
National Research Council.....308
National Resources Board See Natural resources
National Resources Committee See Natural resources
National Steel Labor Relations Board.....156
National Youth Administration.....381, 398
Natural resources
land and water policies and projects of Government.....278
land program, F.E.R.A.....391
Little Waters; use and relations to lands.....283
National Resources Board abolished.....287
Advisory Committee on Allotments.....379
report of.....286
National Resources Committee created.....287
report of.....283
Naturalization.....253
Naval stores.....4,243,342
Navy, Secretary of.....244
Nebraska.....76,205,391
Neutrality.....244
Nevada.....176,180,184
New Hampshire.....106
New Jersey.....76
New Mexico.....34,176,178,257,316
New York.....106,107,140

Item

New York World's Fair, 1939.....145
Niobrara Reservation, Neb.....76
Norbeck.....193
Norman v. Baltimore and Ohio Railroad.....221
Norris, Senator George W...21,167,281
North American Wildlife Conference.....48
North Dakota.....76,176,252
Nye.....193

Ocean-mail contracts.....328,331
Ocean trade routes.....332
Official Register of the United States.....249
Ohio.....106,140,210,252,371
Oils
  peanut.....246
  taxation.....245,359
Oklahoma.....76,181,257,391
Oklahoma Indian General Welfare Act of 1935.....135
Old-age assistance See Social security
Oleomargarine.....49,50
Olives.....4
O'Mahoney.....278
Open-market operations.....57
Oregon.....76,176,180,185-189
Ouachita National Forest, Ark.....76
Oyster planters.....23

Packers and Stockyards Act.....264
Palm oil See Oils
Palmisano.....163
Pan American Exposition.....146
Pan American Institute of Geography and History.....147
Panama Refining Co., et al v. Ryan et al.....255
Paper See Pulpwood
Paris, International Exposition of.....142
Park areas.....166,381
  Arizona.....168
  California.....169-171,173
  Oregon.....186,187
Parker Dam.....288
Parks, National See Lands, National parks and monuments
Patman.....41

Item

Payments
  adjustment.....4(Sec. 32),10,22
  holders of floor stocks.....19,20
  in lieu of taxes, Oregon.....46
  producers.....12,342
  cotton ginners.....11
Peanuts.....246
Pecans.....4
Pennsylvania.....106,140,371
Perilla oil See Oils
Perilla seed See Oils
Perishable Agricultural Commodities Act.....247
Perishables.....85
Perry v. U. S.....221
Perry's Victory and International Peace Memorial National Monument.....210
Personnel
  appointments, emergency funds..252
  Federal Home Loan Bank Board.....129
  foreign.....108
  Home Owners' Loan Corporation..129
  naturalization.....253
  Official Register.....249
  retirement.....248
  salaries.....47,97
  sick leave.....251
  vacancies, filling of.....254
  vacations.....250
  See also Civil Service Commission
Petroleum.....255-258
  tariff.....361
  tax.....359
Philadelphia.....96
Philippine Independence Act.....348
Philippine Islands.....17,134,259-261, 348,355,359
Pitt Island.....190
Pittman.....224,263
Plant Quarantine.....262
Pope.....152
Population, Readjustment of See Rural rehabilitation
Postal Savings Depository Act of 1910.....57
Potash industry.....263
Potato Act of 1935.....4,8,15
Potatoes.....99

Item

Poultry Congress See World's Poultry Congress
Poultry Racket Act.....264
Power
National Power Policy Committee report.....269
Public Utility Act of 1935.....266
public works projects.....281
rate investigation.....265
restraining orders of courts...270
rural electrification.....267,377
San Carlos Project.....268
T.V.A.....367
World Power Conference.....150
See also Electric Home and Farm Authority
President of the United States
Constitution of the Philippine Islands.....260
Emergency Railroad Transportation Act.....292
extension of N.R.A.....233
merchant marine.....329
social security legislation....334
taxation.....363-364
unemployment relief funds.....382
See also Executive Orders; Proclamations of the President
Press, Freedom of.....271
Prices
agricultural.....4,272,342
agricultural machinery.....39
cotton.....88
discrimination in.....39-40
effect of tariff on.....354
industrial.....273
stabilization of.....87
tobacco.....371,373
Printing See Government publications
Prison Industries Reorganization Administration.....275
Prison-made products.....276
Prisons.....274-276
Processing taxes See Taxes, processing
Proclamations of the President....229, 230
No. 2023.....352,403
2067.....222
2069.....352,403
2094.....76

Item

Proclamations of the President - Cont'd
No. 2105.....76
2109.....352
2110.....352
2111.....352
2113.....403
2115.....352
2116.....76
2117.....54
2118.....8
2119.....76
2121.....352
2124.....222
2125.....222
2128.....76
2129.....76
2130.....76
2131.....349
2132.....349
2133.....76
2138.....244
2139.....76
2148.....259
2149.....349
2150.....349
2152.....349
2153.....222
2154.....352
2155.....403
2156.....352
2157.....103
2158.....403
2171.....93
Procurement, Director of, Treasury Department.....379,386
Producers, Associations of See Associations of producers
Producers, Payments to See Payments
Production
cost of
cotton manufacturers.....93
footwear.....355
fur pelts.....353
price discrimination.....40
swordfish.....103
wool.....403-404
normal.....12,342
wool.....402
Production credit associations.....23
Property, Real
acquisition
emergency conservation work.....388
F.E.R.A.....391

Item

Property, Real - Continued
acquisition - continued
Great Plains Forest Experiment Station.....118
low-cost housing and slum clearance.....290
relief projects.....377
resettlement.....289,311
rural electrification.....267
wild life conservation.....75
loans for repairs, etc.....57, 125,128,304
sale under court orders.....164
tax in Virgin Islands.....366
transferred to Resettlement Administration.....312
Property, Real, Farm
bankruptcy.....60
valuation.....24
Public contracts See Contracts, public
Public domain See Lands
Public Health Service.....334-335
Public schools.....303
Public Utility Act of 1935.....266
Public utility holding companies.....74,218-219,266,269
Public works
allocations for projects.....279
Bluestone Reservoir project....284
Federal Emergency Housing Corporation.....285
labor relations.....160,162
Rio Grande canal.....315,317
rivers and harbors.....288
Virgin Islands.....291
See also Contracts; Public; Federal Emergency Administration of Public Works; Flood control; Natural resources; Resettlement Administration; Soil conservation; Unemployment relief
Public Works Administration See Federal Emergency Administration of Public Works
Public Works Emergency Housing Corporation See Federal Emergency Housing Corporation
Publications See Government Publications

Item

Puerto Rican Hurricane Relief Commission
abolish.....29
adjustments and compositions in loans.....32
appropriation.....30
liens upon real estate.....31
Puerto Rico.....10,22,307,342,350,397
credit.....27-32
sugar production.....345-346
tobacco.....371,374
Puerto Rico Reconstruction Administration.....380,396
Pulpwood.....119,120
Purchasing power.....342
Purnell Act.....38

Quetico-Superior Committee.....77

Rail Extension Act.....292
Railroad reorganizations.....65,69
Railroad Retirement Act.....296
Railroad Retirement Board.....296
Railroad Retirement Board, et al. v. The Alton Railroad Company et al.....296
Railroad Retirement Investigation Commission.....296
Railroads.....292-295,325
credit.....300
labor.....296-299
Railway Labor Act Appropriations.....298
Rainy Lake and Pigeon River Watersheds.....77
Range Problem of the Western United States..... 167
Rapeseed See Oils
Rapeseed oil See Oils
Real estate
District of Columbia.....365
farm
effect of resettlement projects on values.....314
loans on.....57
prices to reflect interest and taxes on.....4
See also Agricultural credit; Lands; Property
Real-Estate Bondholders' Reorganizations.....321
Reclamation, Bureau of.....104
appropriation.....45

Item

Reclamation, Commissioner of.....379
Reclamation districts
credit.....125
readjustment plans under bankruptcy.....67
Reclamation projects.....377
construction charges.....36
water-right charges.....33
Reclamation Projects Act of 1935.....33,36
Reconstruction Finance Corporation.....23,25,46,51,58,267, 300-304,377
R.F.C. Extension Act..109,110,300,301
Reconstruction Finance Mortgage Company.....46
Recreational areas.....166
Arizona.....168
California.....173
emergency relief projects.....381
Red Rock Lakes Migratory Waterfowl Refuge, Mont.....76
Reed Amendment.....216
Reforestation See Forestation
Reforestation Act See Emergency Conservation Work
Reorganization See Government Reorganization
Research, scientific.....305-310
Soil erosion.....340,342
Resettlement Administration.....198, 252,283,289,291,311-314,378-380
Restraint of trade See Trade practices
Retirement See Labor; Personnel; Social security
Revenue Act of 1918.....214,217
Revenue Act of 1926.....359
Revenue Act of 1932.....88,217, 245,359,361,362
Revenue Act of 1934....88,245,356-359
Revenue Act of 1935.....359-360
Revenue Act of 1936.....4,245,360
Review, Division of.....235,239
Rhode Island.....106
Rice.....2,99
Rice Lake Migratory Waterfowl Refuge, Minn.....76
Richmond National Battlefield Park.....211
Rickert Rice Mills, Inc. v. Rufus W. Fontenot.....7

Item

Rio Chama.....318
Rio Grande.....315-318
Rio Grande canalization project.....315,317
Rio Grande Compact Extension.....316
Rio Grande Valley.....34
Rivers and harbors.....288
See also Flood control
Robinson.....40,333
Rocky Boy Indian Reservation.....177
Rosin, gum See Naval stores
Rural areas
children, aid to.....334
See also Stricken agricultural areas
Rural electrification See Power
Rural Electrification Act of 1936.....267
Rural Electrification Administration.....267,283,379-380
Rural-rehabilitation
Alaska.....393
emergency relief.....377,381
Puerto Rico.....397
T.V.A.....367
See also Resettlement Administration

St. Francis River.....105
St. Louis.....96
St. Marks Migratory Bird Refuge, Florida.....76
St. Paul.....96
Saint Simon Island, Georgia.....202
Sale
agricultural income.....272
agricultural machinery.....39
dairy products.....96
price discrimination.....40
San Carlos project.....268
San Francisco Bay Exposition.....148
San Juan River.....318
Sand Lake Migratory Waterfowl Refuge, S. Dak.....76
Saugstad, J. E.....330
Schechter Poultry Corporation, et al v. U. S.....233
Science Advisory Board.....308
Sea food See Fish
Second Export-Import Bank of Washington.....46,51,110

Item

Securities.....319-321
carriers.....376
foreign.....244
gold-clause.....220,221,223
tax on sales or transfers..361-362
Securities Act of 1933.....319
Securities and Exchange Commission.....266,319,320
appropriation.....47
Securities Exchange Act of 1934.....319,320
Security, Collateral.....54,125
Seeds
purchase and sale of.....15
See also Agricultural credit, crop loans; Oils
Seney Migratory Waterfowl Refuge, Mich.....76
Sesame oil See Oils
Sesame seed See Oils
Share-croppers.....311,313,342,377
Sheep.....347
Sherman Antitrust Act.....72
Shipping.....322-333
Shipping Act, 1916.....326,328
Silk Textile Work Assignment Board.....153
Silver Purchase Act.....45,48,222,224
Slum-clearance projects.....277,290
Smith.....88
Smith-Lever Act.....307
Snyder-Guffey.....72
Social security.....71,334-339
Social Security Act.....334-335
Social Security Board.....334-335
Soil conservation.....340-343
Soil Conservation Act.....340-341
Soil Conservation and Domestic Allotment Act..12,13,14,50,342-343
Soil Conservation Service.....283,340
Soil erosion
emergency relief.....377
investigations.....43
Michigan.....388
prevention in watersheds.....104
Resettlement Administration....311
soil conservation.....340,342
Tennessee Valley.....367
Soil Erosion, Director of.....379
Soil Erosion Service.....340-341
Sorghums, grain.....99
South America.....332

Item

South Carolina.....76
South Dakota.....76,176,198,391
Southern Great Plains area.....342
Soybeans.....4
Special Adviser to the President on Foreign Trade.....111,116
Speculation.....99
Squaw Creek Migratory Waterfowl Refuge, Mo.....76
Stabilization See Prices, stabilization of
Standards See Grades and standards
State compacts
conserve oil and gas.....257
flood control.....104,106
park areas.....166
tobacco.....371-372
State Department.....159,227,230
State Forest Purchase Act.....174
State, Secretary of.....94,113,136, 137,138,140,141,149, 165,244,315,317,370
States, grants to See Grants to States
Statistics
Central Statistical Committee..309
Department of Commerce studies.....305
Department of Labor studies....306
International Statistical Institute.....143
N.R.A.....241
naval stores.....243
peanuts.....246
tobacco.....374
Steagall.....125
Steiwer.....71,402
Stocks
in hand, taxes on See Taxes, floor-stocks
tobacco.....371,374
See also Securities
Stricken agricultural areas.....311, 313,377,391
Student-aid.....380
Subsistence Homesteads, Division of.....312
Sugar.....17,19,344-346
processing taxes.....377,397
Sunflower oil See Oils
Supplies, Furnishing of See Contracts, public

Item

Supreme Court decisions.....2,4,7,60, 68,72,126,221,233,255, 271,296,368,378
Surpluses, Removal of.....4,9,342
Surveys and Maps, Board of....100,367
Surveys and Maps, Federal Board of.....100

Tampa, Pan American Exposition....146
Tariff
animals, domestic.....347
anti-smuggling.....349
brewers' wort.....361
coal.....361
coffee.....350
copper.....361
cotton manufactures.....93
exhibits.....137,140,146,149
fibers.....348
footwear.....355
fur pelts.....353
grape concentrate.....361
logs.....405
lumber.....361
manufacturers and.....354
petroleum.....361
Presidential proclamations.....352
swordfish.....103
Virgin Islands.....351
wool gloves and mittens.....403
Tariff Act of 1930.....20,217,245, 347,349,352,403-404
Tariff Commission..4(Sec. 31),6,13,93, 103,113,119,353-355,403-404
Tax returns
filing of income.....356
open to inspection.....88,272,292
publicity of income.....357
Taxes
admissions.....360
bank stock.....58
banking corporations, Surtax on.....360
estate.....359
fur.....360
future sales of produce.....361
gasoline.....362
gift.....359
jewelry.....360
lands, Indian.....182,183
liquor.....217
oils.....245,359
payment in railroad reorganizations.....65

Item

Taxes - Continued
petroleum.....359
postage.....361
President's messages.....363-364
profits of corporations....359-360
railroads.....297
rates.....4
real property.....125
salaries of foreign representatives.....358
social security.....334
stock sales or transfers.....361
Virgin Islands.....366
war profits.....360
Taxes, Compensating.....17
Taxes, excise
capital stock of domestic corporations.....359-360
coal.....72
liquor.....359
manufacturers.....361
unjust enrichment.....360
Taxes, Floor-stocks.....16,17
Taxes, Income
corporations.....359,360
dividends on stock owned by U. S.....358
individuals.....359
personal holding companies 359,360
Taxes, Processing
collection.....5
cotton.....3,8
potatoes.....8
reduction.....16
refunds.....19,20,21
rice.....2
sugar.....17,345-346,377,397
tobacco.....8,15
unconstitutional.....7
Taxes, refunds of See Payments
Taxes, State and local
effect of resettlement projects on.....314
payments in lieu of.....46,289-290
real estate, D. C.....365
Taylor Grazing Act....175-176,391,405
Technical Board on Economic Security.....334
Telephone Inquiry Act.....74
Tenants, Farm.....311,313,314,342,377
Tennessee.....76,106,389
Tennessee Valley Authority.....51, 367-369
Tennessee Valley Authority Act of 1933.....367-368

Item

Territories, Official papers of...227
Texas.....199,257,316
Texas & Pacific Railway Co., et al. v. U. S.....323
Texas Centennial Exposition.....149
Textile Industry, Cotton.....94
Textile Labor Relations Board.....155
Textile Work Assignment Boards.....153
Thomas Inflation Amendment.....222
Tin.....114,115,370
Tobacco.....4,8,15
Tobacco Compacts and Agreements Act.....371-372
Tobacco Control Act of Virginia...371
Tobacco Inspection Act.....373
Tobacco Stocks & Standards Act....374
Township of Franklin, in the County of Somerset, Matthew Suydam, Cornelius I. Van Vleef et al. v. Rexford G. Tugwell.....378
Trade marks.....375
Trade practices
agricultural machinery.....39
coal industry.....72
See also Antitrust laws; National Industrial Recovery Act
Transportation
contracts for.....82,85
motor.....376
prison-made goods.....276
wool.....402
See also Railroads; Shipping
Treadway.....90
Treasury Department.....113,334-335
Treasury, Secretary of.....1,3,20,46, 116,191,216,220,224,244,279, 309-310,327,334,347,379
Letter from President to.....312
Tuberculosis, Elimination in cattle.....4(Sec. 37),14
Turpentine, gum See Naval stores

Unconstitutionality of Laws See Supreme Court decisions
Unemployment.....163
Unemployment compensation See Social security

Item

Unemployment relief
Civil Works Administration.....384
Coordinator for Industrial Cooperation.....395
District of Columbia.....385
emergency conservation work.....377,379,386-389,391
Emergency Relief Appropriation Act of 1935.....377
constitutionality.....378
Division of applications, etc.....379
labor regulations.....380
Emergency Relief Appropriation Act of 1936.....381
Federal Surplus Commodities Corporation.....394
President's message re funds...382
Puerto Rico.....396-397
youth.....380-381,398-399
See also Federal Emergency Relief Administration; Public works; Works Progress Administration
United States, et al. v. Bankers Trust Company.....221
United States Chamber of Commerce.....400
United States Children's Bureau.....334
United States Conference of Mayors.....379
United States Constitution Sesquicentennial Commission.....39
United States Cotton Futures Act.....45
United States Cotton Standards Act.....45
United States Great Lakes Exposition Commission.....140
United States Maritime Commission.....328
United States of America v. Wm. M. Butler.....7
United States reclamation projects See Reclamation projects
United States Shipping Board Bureau.....328
United States Shipping Board Merchant Fleet Corporation.....328

Item

United States Tariff Commission
See Tariff Commission
United Stated Texas Centennial Commission.....149
United States Warehouse Act.....99
Upper Mississippi River Wild-life and Fish Refuge, Minn. and Wis.....76
Upper Souris Migratory Water-fowl Refuge, N. Dak.....76
Utah.....176,179

Valentine Migratory Waterfowl Refuge, Neb.....76
Vandenberg.....116,344-346
Vegetables.....4,272
See also Potatoes
Vermont.....106
Veterans.....1,132,405
Virgin Islands....166,291,324,351,366
Virgin Islands Subsistence Homesteads Authority.....291
Virginia.....76,200,211
Vocational education.....401
Vocational rehabilitation.....334-335

Wages See Contracts, public; Labor; Labor relations; Personnel; Public Works
Wagner.....154,158,193,296,334
Walker River Indian Reservation.....184
Walnuts.....4
Walsh.....35,85,399
War Department.....388
War, Secretary of.....104,105,188, 244,284,287,288,367
Warehouses
imported merchandise.....352
liquor.....217
peanut statistics.....246
tobacco.....373-374
Washington.....190,212,391
Waterfowl, Migratory See Conservation of Wild Life
Waters
acquisition for wild life.....75
charges for rights.....33,34,36
policies and projects of government.....278
Rio Grande.....318
See also Flood control; Natural resources; Soil Conservation

Item

Waterways See Flood control
Waubay Migratory Waterfowl Refuge, S. Dak.....76
West Atchafalaya Floodway.....105
West Indian fruit fly.....45
West Virginia.....106
Western Electric Co.....74
Western range.....167
Whale oil See Oils
Wheat
acreage.....116
consumption.....116
production.....116
trade.....116
See also Grain
Wheeler.....293,376
Wheeler Howard Indian Rights Act.....135
White River levee system.....105
White River Migratory Water-fowl Refuge, Ark.....76
Whitman National Monument.....212
Wichita National Preserve, Oklahoma.....76
Wild life See Conservation of wild life
Wind Cave National Park.....75
Wind erosion.....342
Wisconsin.....76,140,371,391
Wood pulp See Pulpwood
Wool.....402-404
Wool Textile Work Assignment Board.....153
Works Progress Administration
activities of.....383
created.....379
emergency relief projects.....381
National Youth Administration..398
workers on flood control projects.....104
Works, public See Contracts, public; Public works
World Cotton Situation.....89
World Power Conference.....150
World War Adjusted Compensation Act.....1,405
World's Poultry Congress.....151
Wyoming.....176

Yazoo River.....105
Youth See Unemployment relief

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